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SACRAMENTO
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(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
November 28, 1947

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1170 SEVENTH AVENUE
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BERKELEY

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

FILED

in the office of the Secretary of State
of the State of California

DEC 1 - 1947

At 3:00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Robert J. Jordan*
Assistant Secretary of State

My dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare with Manual Letter No. 111.

These regulations were adopted by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code under sections 103, 103.5, 103.6, and 114b and are filed in accordance with provisions of section 11381 of the Government Code.

Regulations contained in Section 130-00 as revised were adopted to be effective immediately on filing with the Secretary of State since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare, notice and public procedure there on being impracticable, unnecessary or contrary to the public interest.

Very sincerely yours,

Charles M. Wollenberg
CHARLES M. WOLLENBERG, Director
Department of Social Welfare

RECEIVED
SACRAMENTO, CALIF.

PM 2 27

28 DEC 1947
Attachment

FRANK M. JORDAN
SECRETARY OF STATE
STATE OF CALIFORNIA

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
November 28, 1947

FILED

in the office of the Secretary of State
of the State of California

1297

DEC 1 - 1947

At 3:00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Frank M. Jordan*
Assistant Secretary of State

MANUAL LETTER NO. 111

The attached revisions are to be entered in your copy of the public assistance Manual of Policies and Procedures and the revision numbers cancelled on the separators of the revised chapters. Revision numbers are as follows:

Welfare and Personnel Standards	Revision 72 and 73
Citizenship	Revision 5 thru 16
Real Property	Revision 74
Relatives	Revision 36
Social Data Record	Revision 2 thru 9

New separators for Classification, Social Data Record, Continuing Services, and Financial Procedures chapters are herewith being issued.

The attached material for the Permanent Sample Procedure is a new chapter.

Revisions made in the Welfare Personnel Standards chapter relate to leaves of absence and vacations. Sec. 077-08 has been revised relative to merit system employees in receipt of workmen's compensation.

Revisions in Citizenship chapter have been made in order to incorporate recent changes in Federal statutes. While some sections have been revised to make minor corrections, the following sections contain changes of importance: Secs. 113-55, 113-70, 113-80, 115-30, 116-30, 116-60, 117-60.

In sec. 172-15 reference to ANC has been deleted.

Sec. 130-00 now provides that in OAS money received from a condemnation of recipient's home shall not be deemed personal property for one year.

Secs. 290-00 to 292-70 contain the instructions for the completion of the Old Age Security Permanent Sample Schedule (Form Ag 251). Effective January 1, 1948 this schedule supersedes the Individual Record Card -- Old Age Security (Form Ag 230).

Form Ag 251 is to be completed on all Old Age Security cases active as of January 1, 1948 whose State Case Number ends in 22, 44, 66, or 88. Thereafter a new schedule is to be completed on every case with the specified case number endings at the time of (1) approval of the original grant of aid (2) approval of reapplication for aid (3) approval of restoration of aid and (4) annual reinvestment of eligibility.

Schedules on sample cases active on January 1, 1948 ("Basic Sample") are to be submitted to the Bureau of Research and Statistics as soon as possible after January 1, but not later than March 1, 1948.

Schedules on newly approved cases should be submitted as soon as possible after the case is determined by its case number to be a sample case.

Schedules on restorations and reapplications are to be submitted as soon as possible after Board action.

077-01 ALLOWANCE FOR LEAVES OF ABSENCE
WPS

077-01

Subject to the approval of the county welfare director and the county board of supervisors, any permanent employee, or any probationary employee who immediately preceding his appointment to his present position held permanent status in some other class, may be granted a leave of absence without pay or with partial or full pay, for a period not to exceed one year. An original leave of absence granted for a period of less than one year may be extended at the employee's request, and upon the approval of the county welfare director and the county board of supervisors, for a period which when added to the period of the original leave of absence will not total more than one year. (W&IC 119.5, 119.6; FSS-ADMIN.)

077-02 GRANTING LEAVES OF ABSENCE
WPS

077-02

Upon the recommendation of the county welfare director and the county board of supervisors, and upon the approval of the SDSW, a permanent employee, or any probationary employee who immediately preceding his appointment to his present position held permanent status in some other class, may be granted an educational leave of absence with pay or with partial pay. (SEE SEC. 645-45, SALARIES PAID DURING PERIODS OF LEAVE OR OTHER ABSENCE)

Leaves of absence without pay may be granted to permanent employees, or any probationary employee who immediately preceding his appointment to his present position held permanent status in some other class, for any of the following reasons:

1. To attend an institution of learning to improve the skills, knowledges, and techniques of their work in the county welfare department;
2. Pregnancy;
3. Illness or disability;
4. Any other reason approved by the SDSW.

An employee requesting a leave of absence shall file his request in writing with the appointing officer. Such written request shall include the reasons for the request and the period for which the leave of absence is requested.

The appointing officer shall notify the SDSW of all approved leaves of absence, the period of the leave of absence, and the reasons for which the leave of absence was granted. The Form PS-21 (Report of Separation) used by the county welfare departments to report all separations of personnel to the SDSW shall be used for reporting leaves of absence.

An employee granted a leave of absence has a right to reinstatement to his former position upon the expiration of the period of his approved leave of absence, provided his position has not been abolished during his absence. In the event the employee's position has been abolished during the period of his leave of absence, his name shall be placed on the reemployment list for the ap-

(Section Continued on Next Page)

076-60 APPEAL FROM REMOVAL FROM ELIGIBLE LIST
WPS

076-60

An eligible whose name has been removed from an eligible list for any of the reasons specified in Sec. 073-10, Removal of Names from Eligible List, may appeal to SSWB for reconsideration. Such appeal shall be filed in writing with SDSW within 30 days after date on which notification was mailed to applicant. SDSW shall refer the appeal with all pertinent information to SSWB. SSWB, after investigation, shall make its decision and shall notify the eligible accordingly. (W&IC 119.5, 119.6)

076-70 APPEAL FROM DISMISSAL, SUSPENSION, OR DEMOTION
WPS

076-70

Permanent employee who is dismissed, suspended, or demoted shall have right to appeal to SSWB not later than 30 days after effective date of dismissal, suspension, or demotion. Such appeal shall be in writing and shall be transmitted to SDSW which shall arrange a formal hearing within reasonable time after receipt of appeal. Both employee and county agency shall be notified reasonably in advance of the hearing and shall have right to present witnesses and give evidence before SSWB.

The SSWB, within 30 days after the hearing, shall make its recommendations in writing to county agency for consideration. After consideration of recommendations of SSWB, county agency shall make its decision which shall be final and which shall be duly recorded in permanent records of SDSW. SDSW shall, in writing, promptly notify employee of final decision of county.

All hearings and investigations of charges for dismissal of an employee shall be public and shall be governed by the provisions of these rules; and in the conduct thereof neither SSWB, its representative, nor any other party, shall be bound by technical rules of evidence, nor shall informality in any proceedings or in manner of taking testimony invalidate any order, decision, rule, or regulation made, approved, or governed by SSWB.

Appellant at such hearings shall have opportunity to present whatever competent evidence he may desire to submit in his own defense and shall have right to be represented by counsel. Witnesses may be subpoenaed by SSWB, and SSWB shall have power to compel attendance of witnesses in accordance with this section. (W&IC 119.5, 119.6; FSS-ADMIN.)

077-00 LEAVE WITHOUT PAY OF 27 DAYS OR LESS NEED NOT BE REPORTED

077-00

Absence from duty without pay of any employee, irrespective of status, for a period not exceeding 27 consecutive calendar days, for reasons satisfactory to the appointing power will not be considered a leave of absence within the meaning of Sec. 077-02 and need not be reported on the separation form (Form PS-21) to the SDSW.

Failure of any employee to return to his employment on the first working day following the 27 days' authorized absence without pay shall constitute an automatic resignation and such resignation shall be reported to the SDSW by the appointing authority on Form PS-21, Report of Separation. (W&IC 119.5 AND 119.6)

077-08 (Continued)

077-08

Each county welfare department shall have entered each month on Employee's Monthly Time Record (Form DFA 43) or on any other approved personnel record, the total number of days of accumulated earned vacation of each employee at the beginning of the month, the number of days vacation earned and used during the month, and the balance of vacation to the credit of the employee at the end of the month. (SEE SECS. 645-30, TIME RECORDING BY EMPLOYEES, AND 645-45, SALARIES PAID DURING PERIODS OF LEAVE OR OTHER ABSENCE.) (W&IC 119.5, 119.6; FSS-ADMIN.)

Nothing in this section shall be construed as precluding boards of supervisors from adopting, by ordinance or resolution, vacation provisions which are different from those included in this section. A copy of any such ordinance or resolution affecting vacation rights of employees shall be forwarded within thirty days to the SDSW for presentation to the SSWB for consideration.

077-09 ACCRUED VACATION OF TRANSFERRED EMPLOYEE
WPS

077-09

In the event of the transfer of an employee from one county welfare department to another, the latter county welfare department shall assume no obligation in recognizing any accrued vacation earned by the employee but not taken in the county from which the employee transferred. (W&IC 119.5, 119.6)

077-10 MILITARY LEAVE
WPS

077-10

Whenever the United States is engaged in war or whenever the Governor finds and proclaims that an emergency exists in preparing for National Defense, any permanent or probationary employee of a county agency who enters the military service of the United States shall be granted military leave without pay from his position upon his request. An employee must file with appointing authority written request for military leave for period of his military service prior to his entry into military service. A copy of employee's written request for military leave shall be filed with Personnel Officer.

A military leave shall not constitute employee's separation from employment except as provided for in Sec. 077-15, Reinstatement Following Military Leave. An individual on military leave may not be granted compensation during period of his military leave except as herein provided. (W&IC 119.5, 119.6; FSS-ADMIN.)

077-08 ALLOWANCE FOR VACATION
WPS

077-08

Every employee shall be entitled to vacation with pay for a period of not less than two calendar weeks nor more than fifteen work days for each year of full-time service. Employees regularly engaged on a part-time or intermittent (irregular) time basis shall be granted vacation on a pro rata basis.

A leave of absence or a military leave shall not be considered as a break in service for purposes of computation of vacation; however, an employee shall not earn vacation credit for time spent on authorized leave.

Vacation shall not be cumulative from year to year.

The time during which an employee shall take vacation shall be determined by the appointing authority.

For the purpose of computing vacation allowance, "work days" shall not include Saturday afternoons, Sundays, or legal holidays. Holidays are every Sunday, January 1, February 12, February 22, May 30, July 4, September 9, the first Monday in September, October 12, November 11, December 25, every day on which an election is held throughout the state, and every day appointed by the President of the United States or by the Governor of this state for a public fast, thanksgiving, or holiday. If January 1, February 12, February 22, May 30, July 4, September 9, October 12, November 11, or December 25, falls on Sunday, the Monday following is a holiday. Every Saturday from twelve noon until twelve midnight is a holiday as regards the transaction of business in public offices.

When an employee receives workmen's compensation under the provisions of the Labor Code (Division 4), he may elect to take as much of his accumulated sick leave, or his accumulated vacation after his accumulated sick leave becomes exhausted, as when added to his disability indemnity will result in a payment to him of his full salary.

When an employee is separated from employment with a county welfare department, he may be compensated in a lump sum at the time of his separation for accumulated earned vacation, or he may be continued on the payroll for the period of his earned vacation, depending on the practice in the county. All lump sum payments for accumulated earned vacation shall be reported on Summary of County Employees Paid Less Than Full Time Monthly Salaries (Form DFA 64-B) showing the number of days vacation for which lump sum payment has been made.

The appointing officer shall keep proper records and schedules of vacations granted and shall make such reports to the SDSW as may from time to time be required concerning the vacation granted or due each employee.

(Section Continued on Next Page)

113-60 RESIDENCE LIMITATIONS ON NATURALIZATION

113-60

An applicant for citizenship must have resided continuously within the U.S. for at least five years before he can receive his certificate of naturalization. Certificates of naturalization were sometimes issued many years ago to persons who had not been in this country for that period. The government does not seek to have such action canceled without some special reason. Therefore, if a person has been granted a certificate of naturalization, his citizenship should not be questioned.

Five years' residence is not required in certain exceptional cases. These include (1) Certain persons in military and naval services of the U.S., notably Filipinos, who served in the U.S. Navy, Marine Corps, Naval Auxiliary Service or Philippine Constabulary; (2) Any alien or Puerto Rican who served in the U.S. Army, Navy, Marine Corps, Coast Guard, vessel of U.S. Government or public or private merchant or fishing vessel (not a foreign vessel); (3) Aliens and Indians who served in the military and naval forces of the U.S. during either World War; (4) Certain persons who lost U.S. citizenship by naturalization in a foreign country; (5) An alien married to an American citizen after September 22, 1922, and before May 24, 1934; (6) An American woman who has lost citizenship by marriage to an alien.

An alien married after May 24, 1934, and before January 13, 1941, to a citizen of the U.S. or an alien whose husband or wife is naturalized after that date, may be naturalized after three instead of five years' residence. On and after January 13, 1941, the person shall have resided continuously in the U.S. for two years immediately prior to the filing of the petition. (U.S. IMM. & NAT. SERV.)

113-65 LITERACY LIMITATIONS ON NATURALIZATION

113-65

Since September 27, 1906, a person may not be granted a certificate of naturalization unless he can speak the English language. This does not apply to aliens physically unable to comply, to aliens who had declared their intention to become citizens prior to June 29, 1906, and to aliens who file their declaration of intention and apply for homestead papers.

Prior to September 27, 1906, many aliens were admitted to citizenship who could not speak the English language. The fact that an applicant for Old Age Security is unable to speak or understand English in no way disproves the validity of the certificate of naturalization which may have been issued to him.

The Federal law does not require that applicants for citizenship be able to read and write the English language, except that all petitioners physically able must sign their petitions for citizenship. (U. S. IMM. & NAT. SERV.)

113-25 ACQUISITION OF CITIZENSHIP BY BIRTH OUTSIDE U.S.

113-25

Persons born out of the limits and jurisdiction of the U.S. prior to May 24, 1934, whose fathers were, at the time of the children's birth, citizens of the U.S., are citizens of the U.S., provided the fathers had resided in the U.S. prior to the birth of the children.

Children who were born abroad of American parents and who continue to reside outside the U.S., retain the protection of the government by registering at an American Consulate, and on reaching the age of eighteen years must declare their intention to become residents and remain citizens of the U.S. Failure to comply with this act of 1907 does not deprive an American citizen of his citizenship as it relates to the maintenance of the right to protection, rather than to the maintenance of American citizenship itself. (U.S. IMM. & NAT. SERV.)

113-50 DEFINITION OF NATURALIZATION

113-50

Naturalization is the admission of a foreign subject or citizen into the political body of a nation and the bestowal upon him of the quality of a citizen.

Naturalization may be either individual or collective. It is individual as a result of formal application and grant, or, in some cases, as a consequence of marriage, the naturalization of a parent or special legislative action.

In certain cases, citizenship has been bestowed upon a group of individuals by act of Congress. Collective naturalization may occur as a result of annexation, admission to statehood, territorial cession by treaty and statutory enactment. (U.S. IMM. & NAT. SERV.)

113-55 RACIAL LIMITATIONS ON NATURALIZATION

113-55

Naturalization is limited to free white persons, persons of African nativity or African descent, descendants of races indigenous to the Western Hemisphere, persons of Chinese or Filipino descent, persons of races indigenous to India, and persons who possess singly or in combination a preponderance or as much as one half of blood of the groups specified. According to judicial interpretations, the following have been declared not to be free white persons: Japanese, Burmese, and Koreans.

A small number of Japanese, Hindus, Filipinos, and others racially ineligible, were naturalized under war-time legislation of World Wars I and II. (U.S. IMM. & NAT. SERV.)

113-75 (Continued)

113-75

The petition must set forth that he is not a believer in anarchy or polygamy, that he intends to become a U.S. citizen and reside permanently in the U.S. and renounce forever his foreign allegiance, whether or not he has ever been denied citizenship, and if he has, the grounds therefor, the court by which it was denied, that the cause of the denial has been removed, and every fact material to his naturalization and required to be proved on the final hearing.

In order to give the government an opportunity to investigate petitions, no final hearing can be had until at least thirty days after the filing of the petition. Final hearings are held in open court and the final order is signed by the judge. This hearing is similar to a trial. The U.S. may appear to cross-examine the petitioner and his witnesses, who are examined under oath.

The court must be satisfied that the petitioner has behaved as a man of good moral character, attached to the principles of the U.S. during his residence here, that he does not believe in anarchy or polygamy, and that he can speak English unless physically incapable of doing so. In 1926 the law was amended to allow preliminary hearings by examiners designated by district court judges in order to relieve congestion of court business. The findings of the examiner are submitted to the court at the final hearing with a recommendation as to the final order.

At the final hearing the petitioner must declare an oath in open court that he renounces his foreign allegiance and that he will support and defend the Constitution and the laws of the U.S. against all enemies, foreign and domestic, and bear true faith and allegiance to the same. Citizenship will be denied if the petitioner qualified the oath in any manner.

At the time and as a part of the naturalization of any person, the court (in its discretion, and upon the request of the petitioner) may make a decree changing the name of such person.

A person admitted to citizenship by a naturalization court is entitled to receive from the clerk of the court a certificate of naturalization. This certificate shall contain the following information:

Number of petition of naturalization

Number of certificate of naturalization

Date of naturalization

Name, signature, place of residence, autographed photograph and personal description of the naturalized person including age, sex, marital status and country of former nationality; title, venue, and location of court, statement of court's findings and order and seal of the court.

No person is naturalized by mere service in the armed forces of the U.S. There must have been a naturalization process and the granting of citizenship. Aliens serving in the armed forces were under certain conditions naturalized by a short process whether racially eligible to citizenship or not during the periods between May 1918 and May 1937 and between March 27, 1942, and December 28, 1945.

An enemy alien who was eligible for his second papers as of December 7, 1941, may be naturalized even though a state of war exist. An enemy alien may be naturalized if by presidential order he is declared to be exempt from classification as an enemy alien. (U.S. IMM. & NAT. SERV.)

113-70 OTHER LIMITATIONS ON NATURALIZATION

113-70

An alien from a country neutral during World War II who filed a declaration of intention to become citizen and withdrew it in order to avoid the draft during the World War is debarred from becoming a citizen of the U.S.

Aliens convicted of desertion from the military and naval services of the U.S. are not allowed to become citizens of the U.S. (SEE SEC. 116-15, EXPATRIATION BY DESERTION FROM U.S. MILITARY OR NAVAL SERVICES.)

Aliens who are subjects of a country with which U.S. is at war may not be naturalized so long as they are enemy aliens. (See Item 5, Sec. 113-80 for exception.) (U.S. IMM. & NAT. SERV.)

113-75 PROCESS OF INDIVIDUAL NATURALIZATION

113-75

Certain courts, specified by Congress, are allowed to grant naturalization certificates.

Three distinct steps are required to complete the naturalization process and secure a certificate of naturalization. These are:

- (1) Filing the declaration of intention (first paper);
- (2) Filing the petition (second paper);
- (3) Hearing on the petition in open court resulting in the granting of the certificate of citizenship (final paper).

The declaration of intention may not be made before the declarant is eighteen years of age and must be made at least two years before he becomes a citizen. It is an oath, sworn to before the clerk of the naturalization court in the district in which the declarant resides, that it is his bona fide intention to become a citizen of the U.S. and reside permanently therein and to renounce his foreign allegiance. The declaration must contain his name, age, occupation, personal description, place of birth, last foreign residence and allegiance, date of arrival into the U.S., name of the vessel in which he came, his present place of residence in the U.S., and data as to his absence from U.S. following his lawful entry for permanent residence.

The declaration does not confer citizenship; the declarant is still an alien. The declaration is not valid and cannot be filed until lawful entry into the U.S. for permanent residence has been established and a certificate showing the date, place, and manner of arrival has been issued, unless the entry was on or before June 29, 1906. The declaration must be accompanied by two photographs of the declarant.

Not less than two or more than seven years after the filing of his declaration of intention, the declarant may file a petition for citizenship, signed in his own handwriting if his declaration was filed after June 29, 1906, and duly verified, stating the petitioner's full name; residence; occupation; date and place of birth; place from which he emigrated; date and place of arrival in the U.S.; name of the vessel, if any, in which he came; date, place and name of court where he filed his declaration; name of his wife, if any, her birthplace and present residence; names, dates of birth, birthplaces and present residences of his children, if any.

(Section Continued on Next Page)

113-85 NATURALIZATION OF INDIVIDUAL WHO ERRONEOUSLY EXERCISED
RIGHTS OF CITIZENSHIP

113-85

Any person, not an alien enemy, who resided uninterruptedly within the U.S. for five years next preceding July 1, 1920, if otherwise qualified to become a citizen except that he had not made the declaration of intention, and who, because of misinformation regarding his citizenship status had erroneously exercised the right or performed the duties of a citizen in good faith, may file a petition for naturalization without making preliminary declaration of intention, and upon satisfactory proof to the court may be admitted as a citizen upon complying with the other requirements of the Naturalization Law.

Since it is necessary that it be established that it was through positive misinformation that the person believed he was a citizen and that he meets the above qualifications before citizenship can be granted, such a person should take the matter up with the nearest office of the naturalization service. The special form for filing in such cases can be secured from the naturalization service.
(U. S. IMM. & NAT. SERV.)

114-00 DEFINITION OF DERIVATIVE CITIZENSHIP

114-00

Citizenship acquired as a consequence of the naturalization of another person rather than as a result of an individual's voluntary application is known as derivative citizenship.

Derivative citizenship may be acquired by a minor through naturalization of the parents. Until September 22, 1922, derivative citizenship for woman was acquired as a result of marriage to a citizen or the naturalization of the husband.

A person who claims derivative citizenship as set forth above, may, upon the presentation of proof satisfactory to the Commissioner of Immigration and Naturalization, and upon taking the oath of allegiance, be furnished with a certificate of citizenship. This is only possible when such individual is at the time within the U.S. (U. S. IMM. & NAT. SERV.)

113-80 NATURALIZATION PROCESS IN EXCEPTIONAL CASES

113-80

In certain specified cases not all of the conditions and requirements of the usual naturalization process have to be fulfilled. These include:

1. Persons in military and naval services of the U.S. in time of peace and during World Wars I and II;
2. U.S. citizens who served in foreign armies during World Wars I and II;
3. Aliens erroneously exercising rights of citizenship because of misinformation as to their citizenship status who resided in the country for five years prior to July 1, 1920;
4. Naturalization of those who "owe permanent allegiance" to the U.S.;
5. An enemy alien declared by presidential order to be exempt from classification as an enemy alien;
6. An alien woman married to an American citizen after September 22, 1922, or to an alien who becomes naturalized after that date;
7. An alien man married to an American citizen after May 24, 1934, or an alien whose spouse is naturalized after May 24, 1934;
8. An American woman who lost her citizenship by marriage to an alien;
9. Certain persons in the Virgin Islands;
10. The Naturalization Act of June 25, 1936, declared to be citizens all native-born women who prior to September 22, 1922, lost American citizenship by marriage to an alien if their marital status with such alien has or shall have terminated. The act further provides that before any such woman shall have or claim any rights as a citizen she must take the oath of allegiance to the U.S. before a court exercising naturalization jurisdiction;
11. A woman who comes within the following classification is not required to have a declaration of intention, or a certificate of arrival, or to reside for any period of time within the U.S. or the county where her petition for citizenship is filed. She may file her petition in any court exercising naturalization jurisdiction, regardless of her place of residence. If a certificate executed by a naturalization examiner is attached to the original and duplicate petition at the time it is filed, the petition may be heard at any time after the date it is filed, except within the period of thirty days next preceding any election general to the court.

These classifications include a woman:

- (a) Who has lost her U.S. citizenship by marriage to an alien eligible to citizenship or by reason of the loss of U.S. citizenship by her husband and has not acquired any other nationality by affirmative act; or,
- (b) Who had lost her U.S. citizenship prior to March 3, 1931, by residence abroad after marriage to an alien or by marriage to an alien ineligible to citizenship and has not acquired any other nationality by affirmative act; or,
- (c) Who is a native of Puerto Rico and is permanently residing therein and who, prior to March 2, 1917, had lost her American nationality by reason of her marriage to an alien eligible to citizenship, or by reason of the loss of U.S. citizenship by her husband.

These provisions do not apply to a woman whose U.S. citizenship originated solely by reason of her marriage to a citizen of the U.S. or by reason of the acquisition of U.S. citizenship by her husband. (U.S. IMM. & NAT. SERV.)

114-10 DERIVATIVE CITIZENSHIP OF ADOPTED AND ILLEGITIMATE CHILDREN

114-10

Adopted children do not take the citizenship of their adoptive parents nor do children acquire citizenship through the naturalization of their guardian.

Beginning January 13, 1941, special provisions are made for the naturalization of adopted children provided they meet certain requirements.

Illegitimate children take the citizenship of the father, if he later legitimatizes them through marriage, or paternity is established during minority by adjudication of a competent court. Otherwise, the citizenship of the mother is followed. (U.S. Imm. & Nat. Serv.)

114-15 DERIVATIVE CITIZENSHIP OF FOREIGN-BORN WOMEN

114-15

Foreign-born women, if racially eligible, derived citizenship through marriage to a citizen or to a person who became a citizen prior to September 22, 1922.

If the marriage was recognized as legal within the confines of any state where the couple lived together prior to September 22, 1922, it makes no difference whether the marriage was by civil or common law. If citizenship was gained through common-law relationship, in a state which recognized common-law marriage, such citizenship still holds even though the couple may have later moved to a state where common-law marriage was not recognized. In California, common-law marriage as such has never been recognized as a legal relationship. However, prior to 1895, the statutes provided for an unsolemnized marriage which included the elements of consent, followed by a mutual assumption of marital rights, duties, and obligations. It is possible, therefore, to establish the fact of legal marriage under this statute. After March 1895, only a solemnized marriage had legal status.

Since September 22, 1922, women have not acquired citizenship through marriage to a citizen. Naturalization (by a simplified procedure if the husband is a citizen) is the only method by which an alien woman, married on or after September 22, 1922, can obtain citizenship. (U.S. Imm. & Nat. Serv.)

114-05 DERIVATIVE CITIZENSHIP OF CHILDREN

114-05

Children born in foreign countries prior to May 24, 1934, of American fathers, are U. S. citizens, if prior to the children's birth their fathers had resided in the U. S.

Foreign-born children whose fathers or mothers were naturalized or resumed citizenship during the child's minority prior to May 24, 1934, are citizens if they became residents of the U.S. during minority, and prior to May 24, 1934.

A foreign-born child whose foreign-born mother (if eligible to citizenship in her own right) married an American citizen, or married a person who became naturalized prior to September 22, 1922, became a citizen, provided:

- (1) the mother was married during the child's minority,
- (2) the child took up U.S. residence during minority,
- (3) the mother obtained citizenship during the child's minority.

If the mother married after September 22, 1922, she did not gain citizenship and her child would therefore not gain citizenship.

A foreign-born minor child dwelling in the U. S. at the time of the naturalization of his parent automatically becomes an American citizen. Beginning January 13, 1941, this applies to children under the age of eighteen years only.

The child's right to derivative citizenship through one parent is not affected by the residence or citizenship of the other parent or the marital status of the parents.

The foreign-born minor gains citizenship by the naturalization of his parent from the date the minor begins permanent residence in U.S. regardless of whether he resided with the parent in U.S.

A foreign-born child not in the U.S. at the time one parent is naturalized (the other parent remaining an alien) becomes a citizen if the child resides in the U.S. for at least five years continuously, immediately prior to his eighteenth birthday and if he takes an oath of allegiance to the U.S. within six months of his twenty-first birthday.

The above applies even though the minor child is married at the time of the naturalization of the parent. (U.S. Imm. & Nat. Serv.)

115-05 (Continued)

115-05

All citizens of the former Republic of Texas became citizens of the U.S. on December 29, 1845, according to a joint resolution of Congress.

According to treaties with Mexico, the inhabitants of California and portions of Arizona, New Mexico, and Colorado, who remained in those territories one year after the territories were taken over by the U.S. and who did not declare their intention to retain Mexican citizenship, thereby elected to become citizens of the U. S. California and portions of Arizona, New Mexico, and Colorado were ceded to the U. S. by the Treaty of February 2, 1848. That portion of Arizona known as the "Gadsden Purchase" was ceded to the U.S. by Mexico by the Treaty of December 30, 1853.

By special act of Congress of May 18, 1872, it was provided that all persons born in the district formerly known as the Territory of Oregon, and subject to the jurisdiction of the U.S., were citizens of the U.S. (U.S. Imm. & Nat. Serv.)

115-15 COLLECTIVE NATURALIZATION IN ALASKA**115-15**

Persons who were living in Alaska in 1867, and who remained there, became citizens, with the exception of uncivilized native tribes. Persons born in Alaska subsequent to 1867, except the uncivilized tribes, are citizens. (U.S. Imm. & Nat. Serv.)

115-20 COLLECTIVE NATURALIZATION IN HAWAII**115-20**

All persons who were citizens of the Republic of Hawaii on August 12, 1898, became citizens of the U.S. Chinese citizens of Hawaii at the time of its annexation, therefore, also became U.S. citizens.

U.S. citizenship is acquired by birth in Hawaii, as in any other part of the U.S. Persons resident of Hawaii five years before April 30, 1900, who were not citizens of Hawaii, could be naturalized without filing a declaration of intention. Since April 30, 1900, residents of Hawaii may be naturalized as may residents of the U.S.

A "Certificate of Special Rights of Citizenship" issued to aliens by the Monarchy in the Hawaiian Islands prior to the creation of the Territory does not prove U.S. citizenship. Such certificates were issued under the Monarchy solely for political purposes, but did not absolve the holder from his native allegiance, and expressly so state. Holders of "special rights" certificates were therefore not considered as citizens of the Hawaiian Islands at the time of annexation, and did not become citizens of the U.S. (U.S. Imm. & Nat. Serv.)

115-00 DEFINITION OF COLLECTIVE NATURALIZATION

115-00

Collective naturalization is naturalization of a group of persons occurring as the result of:

- (1) The admission of a sovereign state to statehood,
- (2) The admission of a territory to statehood,
- (3) As a consequence of collective incorporation by a special act of Congress,
- (4) Annexation of a territory by treaty. (U.S. Imm. & Nat. Serv.)

115-05 COLLECTIVE NATURALIZATION IN STATES

115-05

A person who was a qualified voter in a territory at the time of the final adoption of its constitution and admission to statehood became a citizen of the U.S. when the territory was admitted as a state.

States admitted since 1840 and their dates of admission are as follows:

Arizona Feb. 14, 1912	New Mexico Jan. 6, 1912
California . . . Sept. 9, 1850	North Dakota . . . Nov. 2, 1889
Colorado Aug. 1, 1876	Oklahoma Nov. 16, 1907
Florida Mar. 3, 1845	Oregon Feb. 14, 1859
Idaho July 3, 1890	South Dakota . . . Nov. 2, 1889
Iowa Dec. 28, 1846	Texas Dec. 29, 1845
Kansas Jan. 29, 1861	Utah Jan. 4, 1896
Minnesota . . . May 11, 1858	Washington Nov. 11, 1889
Montana Nov. 8, 1889	West Virginia . . . June 20, 1863
Nebraska Feb. 9, 1867	Wisconsin May 29, 1848
Nevada Oct. 31, 1864	Wyoming July 10, 1890

Acquisition of statehood by some of the territories conferred citizenship on residents of the territory at the time of admission to statehood who had filed declarations of intention. This was true in the following States admitted since 1867:

Nebraska . . . Feb. 9, 1867	Montana Nov. 8, 1889
North Dakota . Nov. 2, 1889	Washington Nov. 11, 1889
South Dakota . Nov. 2, 1889	

In some of the territories admitted to statehood prior to 1867 it may be necessary to check the Organic Act creating the territory, and the Enabling Act allowing territorial electors to decide whether or not a state constitution is to be adopted, as well as the territorial code covering electors, if an individual claims citizenship through collective naturalization prior to 1867.

(Section Continued on Next Page)

115-35 COLLECTIVE NATURALIZATION IN PUERTO RICO

115-35

Those inhabitants of Puerto Rico who were Spanish subjects, and who resided in Puerto Rico on April 11, 1899 (the date of the ratification of the treaty with Spain), as well as their children born subsequent to that date, provided such inhabitants had continued their residence in Puerto Rico since that date, and had not made a declaration to preserve Spanish nationality as provided by the treaty, were made citizens of Puerto Rico by the act of April 12, 1900.

U.S. citizenship was conferred on certain inhabitants of Puerto Rico on March 2, 1917. Those persons acquiring U. S. citizenship included persons made citizens of Puerto Rico by the act of April 12, 1900, and natives of Puerto Rico, who were temporarily absent from the Island on April 11, 1899, but who had since returned to reside permanently and who were not citizens of a foreign country.

The right to take the oath of allegiance to Spain and thus retain Spanish nationality provided by the treaty of peace between the U.S. and Spain on April 11, 1890, was reserved only to persons born on the Iberian Peninsula (i.e., natives of Spain or Portugal) and did not have reference to those natives who were born in Puerto Rico. A list of Puerto Ricans retaining former allegiance is in possession of the District Director of Naturalization in the Post Office Building, San Francisco. The U.S. Naturalization Service should not be asked to check the list of persons retaining their allegiance to Spain, unless the applicant was born in Spain or in Portugal, and lived in Puerto Rico on April 11, 1899, or was temporarily absent from Puerto Rico on that date.

By the provisions of the act of June 27, 1934, a person born in Puerto Rico on or after April 11, 1899, who was not a citizen of the U.S. on June 27, 1934, became a citizen on that date unless:

- (a) He was, on that date, a citizen, subject or national of any foreign power; or,
- (b) Prior to June 27, 1934, he had renounced or lost U.S. citizenship under either the treaties or the laws of U.S. citizenship, or both; or,
- (c) He was, on that date, residing permanently abroad and was a citizen or subject of a foreign country.

(Section Continued on Next Page)

115-25 COLLECTIVE NATURALIZATION IN GUAM, SAMOA, PANAMA CANAL ZONE

115-25

There are no provisions by which inhabitants of Guam, Samoa, and the Panama Canal Zone acquired U.S. citizenship at time of annexation of territory. There is no provision for the naturalization of persons born there. Legislation regarding citizenship of persons born in the Panama Canal Zone or the Republic of Panama states that any person born in the Panama Canal Zone on or after February 26, 1904, whose father or mother, or both, at the time of birth of such person, was, or is, a citizen of the U.S., is declared to be a citizen of the U.S.

Any person born in the Republic of Panama on or after February 26, 1904, whose father or mother, or both, at the time of the birth of such person, was, or is, a citizen of the U. S., employed by the Government of the U.S. or by the Panama Railway Company, is declared to be a citizen of the U.S. (U.S. Imm. & Nat. Serv.)

115-30 COLLECTIVE NATURALIZATION IN PHILIPPINE ISLANDS

115-30

U. S. citizenship was not granted to citizens of the Philippine Islands upon annexation, and has not been granted to residents of the islands since that time. However, since July 2, 1946, Filipinos have been eligible to become naturalized U.S. citizens.

Adult Filipinos who enlisted and served for not less than three years in the U. S. Navy, Marine Corps, the Naval Auxiliary Service or Coast Guard, and who had an honorable discharge, or ordinary discharge with recommendation for re-enlistment prior to July 2, 1946, could file a petition for citizenship while still in service or within six months after an honorable discharge or separation. It was only under these circumstances that it was possible for a native-born Filipino to become a U. S. citizen prior to July 2, 1946. However, some Filipinos with army service were naturalized and are citizens. (U.S. Imm. & Nat. Serv.)

116-00 DEFINITION OF EXPATRIATION

116-00

Expatriation is the process by which a person loses citizenship either by his own act, or by the act of the nation of which he is a citizen. Ordinarily it is accompanied by the acquisition of nationality in another state.

No American citizen may expatriate himself while this country is at war. This applies equally to all types of expatriation.

Methods of expatriation are:

- (1) Naturalization by a foreign state.
- (2) Taking an oath of allegiance to a foreign state.
- (3) Desertion from U.S. military forces in time of war.
- (4) Marriage of an American woman to an alien.
- (5) Cancellation of certificate of naturalization.
- (6) Foreign residence of a naturalized citizen. (U. S. Imm. & Nat. Serv.)

116-05 EXPATRIATION BY NATURALIZATION IN A FOREIGN STATE

116-05

Any American citizen shall be considered to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

A native-born American citizen can not renounce allegiance to the U. S. during his minority and, after January 12, 1941, while he is under eighteen years of age. (U.S. Imm. & Nat. Serv.)

116-10 EXPATRIATION BY OATH OF ALLEGIANCE TO FOREIGN STATE

116-10

The oath of allegiance to a foreign state which is usually required at time of enlistment in a foreign army, results in expatriation provided the person taking oath is an adult. An oath taken under duress does not cause expatriation. The law of May 9, 1918, provided that former citizens who had enlisted in the services of the Allies might repatriate themselves by taking oath of allegiance to the U.S.

An oath of allegiance, taken while the U. S. was at war, does not cause expatriation if the following provisions are met. Prior to the time the U. S. ceased to be at war, the person taking the oath, returned to this country for permanent residence and thereafter did nothing that indicated continued allegiance to the foreign state but, on the contrary, acted consistently as a citizen of the U.S. (U. S. Imm. & Nat. Serv.)

115-35 (Continued)

115-35

Since the act of May 16, 1938, became effective, "any person of good character, attached to the principles of the Constitution of the U.S., and well disposed to the good order and happiness of the U. S. and born in Puerto Rico on or after April 11, 1899, who has continued to reside within the jurisdiction of the U.S., whose father elected on or before April 11, 1900, to preserve his allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the U. S. and Spain entered into on April 11, 1899, and who, by reason of misinformation regarding his or her own citizenship status failed within the time limits prescribed * * * to exercise the privilege of establishing U. S. citizenship and has heretofore erroneously, but in good faith, exercised the rights and privileges and performed the duties of a citizen of the U.S., and has not personally sworn allegiance to any foreign government or ruler upon or after attainment of majority, may make a sworn declaration of allegiance to the U. S. before any U. S. district court. Such declaration shall set forth facts concerning his or her birth in Puerto Rico, good character, attachment to the principles of the Constitution of the U. S., and being well disposed to the good order and happiness of the U. S., residence within the jurisdiction of the U.S., and misinformation regarding U. S. citizenship status, and shall be accompanied by proof thereof satisfactory to the court. After making such declaration and submitting such proofs, such person shall be admitted to take the oath of allegiance before the court, and thereupon shall be considered a citizen of the U.S." (U.S. Imm. & Nat. Serv.)

115-40 COLLECTIVE NATURALIZATION IN VIRGIN ISLANDS

115-40

By Congressional enactment on February 25, 1927, former Danish citizens who resided in the Virgin Islands on January 17, 1917, and who were residing there, or in the U. S. or in Puerto Rico on February 25, 1927, and who did not elect to preserve their Danish citizenship by making declaration as provided by the treaty, or who, if they had made such a declaration, renounced it before a court of record, became U.S. citizens. Unless they had become citizens of some other foreign country, the same applied to native inhabitants of the Islands who resided in the U. S. on January 17, 1917, and who on February 25, 1927, resided in the Islands.

By the provisions of the act of May 28, 1932, all natives of the Virgin Islands who were on June 28, 1932, residing in the continental U. S., the Virgin Islands, Puerto Rico, the Canal Zone, or any other insular possession or territory of the U.S. and who were not citizens or subjects of any foreign country, were declared to be citizens of the U.S., no matter where they may have resided on January 17, 1917. Since 1927, for the purposes of the naturalization law, residence in the Virgin Islands has been considered as residence in the U. S. (U.S. Imm. & Nat. Serv.)

116-20 (Continued)

116-20

American women who married aliens or who were naturalized abroad through the naturalization of their husbands between April 6, 1917, and July 2, 1921 (while this country was at war), lost their citizenship on July 2, 1921, provided their marital status had not been terminated prior to that date by death of the husband or divorce.

An annulment of marriage cancels citizenship gained through the marriage. It also cancels expatriation due to marriage between March 2, 1907, and September 22, 1922.

An American woman citizen did not lose citizenship by marriage to an alien if such marriage occurred prior to March 2, 1907, and she remained in the U.S. A woman has not lost citizenship through marriage on or after September 22, 1922, unless she formally renounces her American citizenship before a court having jurisdiction over naturalization or unless an American woman citizen married an alien ineligible to citizenship between September 22, 1922, and March 2, 1931.

A woman who gained citizenship through marriage prior to September 22, 1922, would not lose such citizenship, if the marriage terminated prior to that date, unless she had a second marriage to an alien prior to 1922, or took out naturalization papers in some foreign country.

A woman who gained citizenship through marriage prior to September 22, 1922, would lose such citizenship if her husband's citizenship is canceled for any reason. (For exception see Sec. 116-30, Expatriation by Foreign Residence.) (U. S. Imm. & Nat. Serv.)

116-25 EXPATRIATION BY CANCELLATION OF CERTIFICATE OF NATURALIZATION

116-25

The U.S. district attorneys are authorized to bring proceedings asking cancellation of citizenship of any naturalized citizen, who within five years after his naturalization takes up his permanent residence in any foreign country. However, unless the individual concerned loses citizenship under a naturalization treaty, by reason of the Expatriation Act of March 2, 1907, or by becoming naturalized or resuming citizenship through the operation of laws of the foreign country of which he is a resident, he remains a U.S. citizen until actual cancellation of his U. S. citizenship is ordered by court. A certificate may likewise be canceled on proof that it was acquired illegally or by fraud. (U.S. Imm. & Nat. Serv.)

116-15 EXPATRIATION BY DESERTION FROM U.S. MILITARY OR NAVAL SERVICES

116-13

A person who deserts the military or naval service of the U.S. in time of war and is convicted of such desertion in a court martial forfeits all rights to citizenship or right later to become a citizen. A person who deserts military or naval service in time of peace is subject to arrest and punishment but his citizenship status is not affected.

The President has the power to restore citizenship where there has been a conviction by general court martial of wartime desertion.

A person who left or shall leave the U.S. to escape the draft in time of war shall, upon conviction thereof by a court martial, be deemed to have voluntarily relinquished and forfeited his rights of citizenship as well as his right to become a citizen. (U.S. Imm. & Nat. Serv.)

116-20 EXPATRIATION BY MARRIAGE

116-20

A citizen (man or woman) may upon marriage to an alien make a formal renunciation of U. S. citizenship, but such renunciation can not be made in time of war and if war shall be declared within one year after such renunciation, then such renunciation shall be declared void.

Between March 2, 1907, and September 22, 1922, a woman acquired the citizenship of her husband upon marriage, i.e., she lost her U.S. citizenship if her husband was an alien.

An American woman citizen presumably lost citizenship if she married an alien between September 22, 1922, and March 2, 1931, both dates inclusive, and during that period lived in the country of her husband's nationality for two years or elsewhere outside the U.S. or possessions for five years.

Between September 22, 1922, and March 3, 1931, any American woman who married an alien ineligible to citizenship, lost citizenship. Thus, any American woman who married an alien who was not of the white race or of African nativity or descent, or an alien who ceased to be eligible to citizenship because he withdrew his declaration of intention to become a citizen in order to avoid the draft, was denationalized.

(Section Continued on Next Page)

116-30 (Continued)

116-30

Naturalized citizens have also lost all claim to U.S. citizenship by return to their native countries through the operation of naturalization treaties, which must be consulted from time to time.

The U.S. Department of State decides upon the status of citizens residing outside of this country. The Naturalization Service in the Department of Justice decides in regard to the status of a person holding a certificate of naturalization in this country. In some cases conflicting decisions are made by the two departments. The decision of the Naturalization Service holds in regard to a person who is living in the U.S. Both services are bound by opinions of the U.S. Attorney General.

Naturalized citizens residing in a foreign country at the time of World War II were allowed until October 14, 1946, to return or to have completed arrangements for return to U.S. without losing citizenship. (U.S. Imm. & Nat. Serv.)

116-35 EXPATRIATION OF CHILDREN

116-35

When a child has gained citizenship through the naturalization of a parent and such naturalization is canceled, the child's citizenship is likewise canceled (for exceptions see Sec. 116-30, Expatriation by Foreign Residence). However, under certain circumstances such a minor child may become naturalized without going through all the provisions set forth in Sec. 113-75, The Process of Individual Naturalization.

A child who is a citizen shall lose his citizenship through the naturalization in a foreign state of a parent having his legal custody. However, such citizenship shall not be lost until the child shall have attained the age of 23 years without acquiring permanent residence in the U.S. In certain circumstances, the child was allowed until October 14, 1946, to take up permanent residence in the U.S. (U.S. Imm. & Nat. Serv.)

116-30 EXPATRIATION BY FOREIGN RESIDENCE

116-30

Beginning January 13, 1941, one who after becoming a naturalized citizen returns to the country of his nativity and resides there for a period of two years or to another foreign country and resides there for a period of five years loses his U.S. citizenship. Prior to January 13, 1941, there was a presumption that citizenship was lost as the person was considered to have shown a lack of intention to become a permanent citizen of the U.S. at the time of filing the petition of naturalization.

In the absence of countervailing evidence, this shall be sufficient, in the proper proceeding, to authorize the revocation and setting aside of the order admitting such person to citizenship and the cancellation of the certificate of naturalization as having been obtained through fraud. The revocation and setting aside of the order admitting any person to citizenship and canceling his certificate of naturalization shall not, after January 13, 1941, result in the expatriation or loss of any privilege of citizenship which would have been derived by or available to a wife or minor child of the naturalized person had such naturalization not been revoked. The citizenship and any such right or privilege of such wife or minor child shall be deemed valid to the extent that it shall not be affected by such revocation. This does not apply in any case where the revocation and setting aside of the order was the result of actual fraud.

The presumption of loss of citizenship may be overcome by means of presentation of satisfactory evidence to a diplomatic or consular officer of the U.S. under regulation prescribed by the Department of State. It has been judicially and administratively determined that return to and resumption of residence in the U.S. overcomes the presumption. The Supreme Court in commenting upon that provision of the statute said that the individual's "place of residence was an element in making him a citizen; it might be regarded as an element in continuing him a citizen and presumptions could be erected upon it, and we are prompted to say it is a presumption easy to preclude, and easy to overcome. It is a matter of option and intention."

It is recognized that the law governing expatriation is in an unsettled state and that wide opportunity exists for presentation of cases raising debatable issues. Because of this fact and the necessity for respecting citizenship rights, the utmost care must be exercised in weighing proof of expatriation before concluding that one who was formerly a citizen has terminated that status. In this connection attention is invited to a statement made by the Supreme Court of the U.S. in 1879, that in the absence of proof that one has denationalized himself, his original citizenship is to be presumed to have continued.

(Section Continued on Next Page)

116-60 REPATRIATION OF WOMEN

116-60

A woman who was expatriated by marriage to an alien between March 2, 1907, and September 22, 1922, might regain her citizenship under certain conditions prior to September 22, 1922. If she was residing abroad at the termination of the marital status, she could resume American citizenship by registering as an American citizen within one year (following the termination of the marriage) with a Consul of the U.S. or she could return to the U.S. to reside.

If she was residing in the U.S., citizenship was automatically restored to her upon termination of the marriage, provided such termination took place prior to September 22, 1922.

Any woman citizen who was expatriated through marriage to an alien (see Sec. 116-20, Expatriation by Marriage) may be eligible to claim the benefits of various statutes which provide for the taking of an oath of allegiance to reacquire the rights of citizenship; after which the person is regarded as never having lost U. S. citizenship. This includes women whose marriage to an alien terminated or shall terminate and women whose marriage to an alien has not terminated providing they have resided continuously within the U.S. since the date of marriage in accordance with provisions of congressional act of July 2, 1940.

None of the rights of citizenship may be enjoyed until the oath of allegiance is taken as required. (U. S. Imm. & Nat. Serv.)

116-70 REPATRIATION OF PERSONS SERVING IN ALLIED ARMIES

116-70

Former American citizens who lost their citizenship by taking an oath or obligation in order to enter the service of the Allies during the World War may be repatriated by taking the oath of allegiance to the U.S. before a court having naturalization jurisdiction or before any U.S. Consul.

Certificates of repatriation may be issued by the Commissioner of the Immigration and Naturalization Service at a cost of one dollar to those individuals who desire to resume citizenship in this way. (U.S. Imm. & Nat. Serv.)

116-40 EXPATRIATION OF CHILDREN NOT EFFECTED

116-40

A native-born American citizen can not renounce allegiance to the U.S. during his minority.

A child born in the U.S. and taken during minority to the country of his parents' birth where his parents resume their former allegiance does not thereby lose citizenship, provided that, on attaining majority, he elects to retain his citizenship and to return to the U. S. to assume the duties of citizenship. (U.S. Imm. & Nat. Serv.)

116-45 EXPATRIATION NOT EFFECTED BY CONVICTION OF FELONY OR IMPRISONMENT

116-45

The conviction of a felony does not deprive a person of citizenship and citizenship is not suspended during the period of incarceration. Conviction of a felony merely revokes certain attributes of citizenship, such as voting, holding office, etc. All persons born or naturalized in the U.S. and subject to the jurisdiction thereof are citizens of the U. S. and of the state wherein they reside. (U. S. Imm. & Nat. Serv.)

116-50 DEFINITION OF REPATRIATION

116-50

Repatriation is the process of regaining a citizenship once lost. In certain exceptional cases, Congress has granted citizenship to certain former citizens. In some instances, such statutes cover individuals; in others they apply to groups.

Repatriation may be effected by the presidential pardon of a person convicted of desertion from the military or naval forces of the U.S. in time of war.

It may also be accomplished by naturalization which, in some instances, does not require all the steps outlined in Sec. 113-75. (The Process of Individual Naturalization.) (U.S. Imm. & Nat. Serv.)

117-10 PROOF OF NATIVE BIRTH

117-10

Ordinarily, an applicant's sworn statement on the application for aid that he was born in the U.S. is adequate proof of citizenship by birth. However, if the investigation reveals any discrepancy or conflict, or there is reason to doubt the applicant's statement of native birth, proof of such birth is required.

The statement of a native-born woman married between March 2, 1907, and September 22, 1922, that her husband was native-born, requires no verification unless the investigation reveals information which raises a question regarding citizenship status of the husband. Under these circumstances, proof of the husband's native birth is required.

(Section Continued on Next Page)

117-00 PROOF OF CITIZENSHIP

117-00

Proof of citizenship is a highly technical field. The methods of acquiring citizenship and the data necessary to establish it are, in general, covered in the material presented. There will be some citizenship problems which are not answered in the material contained herein.

In all cases of doubtful citizenship, it is advisable to present all of the facts to the District Office of the Department of Justice, Immigration and Naturalization Service, for advice regarding the citizenship status of the person.

Inquiries arising in California should be directed to the District offices in San Francisco and Los Angeles or to the nearest branch office. Branch offices are located in Bakersfield, Fresno, Oakland, Sacramento, Salinas, San Bernardino, San Luis Obispo, San Pedro, Santa Ana, Stockton, Ventura, and San Diego. (U. S. Imm. & Nat. Serv.)

117-05 CONFLICTING EVIDENCE OF CITIZENSHIP

117-05

Any information which conflicts with the applicant's statement of native birth must be reconciled. All the various clues as to citizenship must be followed up and the relative merit of each piece of evidence considered in order to determine which evidence has greater validity. Greater weight is placed upon evidence which by its nature is superior evidence. The number of pieces of evidence which support or refute the applicant's contention that he is a citizen is not the primary consideration.

A single document such as a baptismal record which shows the place of birth may outweigh several other pieces of evidence. On the other hand, two or three pieces which corroborate each other may be more conclusive than a single source of intrinsically greater validity which is not supported by other data.

In general, documentary evidence of native birth resulting from information given by the individual or by his parents is of superior value to evidence based upon information given by another.

Example: The record of an applicant's marriage in 1898 indicated native birth. The wife, when applying for relief in 1932, stated that her husband was born in Ireland. An old lodge record was secured in which the information relative to native birth was presumably given by the applicant himself, and supported his statement of native birth as shown on the marriage record. Superior weight was placed upon the marriage and lodge records.

When there is conflict between the applicant's sworn statement and competent evidence, decision must rest upon the facts as established by the evidence.
(U.S. Imm. & Nat. Serv.)

117-63 PASSPORTS AS PROOF

117-63

When the naturalization certificate has been lost and the court record of naturalization is known to have been destroyed, a foreign-born applicant's claim to citizenship may be established by a U. S. passport issued to him. Native-born and foreign-born persons alike are required to present proof of citizenship when making application for a passport. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION) (U. S. IMM. & NAT. SERV.)

117-66 HOMESTEAD PAPERS AS PROOF

117-66

When the naturalization certificate has been lost and the court record of naturalization is known to have been destroyed, it may be possible to establish citizenship through homestead records on file in the General Land Office, Washington, D. C. Since June 6, 1912, homesteads have been issued to citizens only, except that American-born women who lost citizenship through marriage prior to September 22, 1922, were allowed to file on a homestead. Prior to June 6, 1912, patents to homesteads were issued to citizens and to those who had declared their intention to become citizens. In any case in which a homestead patent was granted, a statement from the General Land Office, Washington, D. C., of the proof of citizenship furnished by the homesteader may be obtainable.

Prior to 1908, the General Land Office did not keep an alphabetical index of persons to whom homesteads were issued. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION) (U. S. IMM. & NAT. SERV.)

117-69 SEAMEN'S PAPERS AS PROOF

117-69

When the naturalization certificate has been lost or the court record of naturalization is known to have been destroyed, citizenship may be established by certain seamen's papers. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION)

The files covering issuance of identification cards to seamen, issued during World War periods, have been turned over to the U. S. Immigration and Naturalization Service and are on file in their local offices.

Citizen Seamen's Identification Cards issued under Section 4588 of the U. S. Revised Statutes in pursuance of the Act of May 22, 1918, substantiate the applicant's claim to citizenship. Such cards issued to outgoing seamen by a customs official and to incoming seamen, by an Immigration Inspector, bear the signature and seal of the issuing officer certifying that the person to whom the card was issued had produced satisfactory proof of citizenship. The picture and thumbprint of the seaman also appear on these cards.

There are several other kinds of marine licenses, such as those issued to seamen on coastwise or harbor vessels and those issued to mates, masters and engineers. As no fixed standard of value can be set for any of them, verification of citizenship shall be secured through a court record. In the absence of such record, a specific statement from the issuing agency of the citizenship proof submitted shall be secured. (U. S. IMM. & NAT. SERV.)

117-50 PROOF OF CHANGE IN NAME

117-50

There are occasions in which the name appearing on the certificate of naturalization is dissimilar to the name of the applicant. The fact that the applicant is the person to whom the certificate of naturalization was issued must be established. Proof that the name of the citizen to whom the certificate was issued had been changed to that used by the applicant by a court order is proof of identity. In the absence of a legal change in name, other evidence must be secured to establish beyond reasonable doubt that the applicant is the person to whom citizenship was granted.

Variation in the spelling of the name as it appears on a certificate of naturalization and as used by the applicant often exists due to use of diminutives and to the tendency of naturalized citizens to anglicize their names. When it is clear that the name as used is the diminutive or the anglicized spelling of the name under which citizenship was granted, the certificate establishes citizenship of the applicant without further question. (U. S. IMM. AND NAT. SERV.)

117-60 VOTER'S REGISTRATION AS PROOF

117-60

When the naturalization certificate has been lost and the court record of naturalization is known to have been destroyed, an early record of registration to vote may assist in establishing the applicant's claim to citizenship. Information regarding the date and place of naturalization of the applicant or his parents, if appearing thereon, is considered evidence of citizenship, provided the investigation reveals no information which contradicts or casts doubt on the citizenship status. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION)

The record of naturalization for many persons was destroyed in the San Francisco Fire of 1906. Voters' registration records for persons who claim to have been naturalized in the San Francisco Superior Court prior to 1900, and who registered to vote before that year, may appear in the Index to the Great Register of San Francisco voters. The Immigration and Naturalization Service considers registration as a San Francisco voter in 1898, or prior thereto, as conclusive proof of a claim to naturalization. Persons whose record of naturalization was lost in the San Francisco fire may apply to the Superior Court of San Francisco County for an order restoring such a record. The court order is given where there is adequate evidence to show that the petitioner is a citizen. Application forms may be secured from the San Francisco office of the U.S. Immigration and Naturalization Bureau.

The index to the San Francisco Great Register of voters for 1898 and for preceding registration years is on file in the State Library in Sacramento.

In Los Angeles and San Francisco Counties the index to the Great Register of voters is filed in the office of the registrar of voters. In other counties in California the voting registrations are filed in the office of the county clerk. The State Library should be consulted only when the records are not available in the county offices. (U. S. IMM. & NAT. SERV.)

118-00 PROOF OF COLLECTIVE NATURALIZATION

118-00

In all cases of collective naturalization it is necessary to prove:

- (1) That the person was a resident of the place covered by collective naturalization at the time such naturalization was granted.
- (2) That he was a citizen or elector of the place covered by collective naturalization if such were required by the collective naturalization act. (U. S. IMM. & NAT. SERV.)

118-05 PROOF OF COLLECTIVE NATURALIZATION IN PUERTO RICO

118-05

When an applicant for OAS states he was born in Puerto Rico, the following information should be secured to determine his citizenship status:

- (1) The country of which he was a subject on April 11, 1899.
- (2) His place of residence between April 11, 1899, and April 12, 1900; e.g., Puerto Rico; Hawaii; Mexico; Wisconsin; California; etc.
- (3) If temporarily absent from Puerto Rico during that period, the date on which he returned to Puerto Rico to make his permanent residence therein, and his place of residence on March 2, 1917.
- (4) That he did not make a declaration refusing to become a citizen of the U. S. within six months after March 2, 1917, or, if he did make such a declaration, that he has, since March 4, 1927, formally sworn allegiance to the U. S. before a court of competent jurisdiction.

When an applicant for OAS states he was born in Puerto Rico, but was away from the Island between April 11, 1899, and April 12, 1900, and had not returned to reside there permanently on March 2, 1917, it is doubtful if he gained American citizenship by collective naturalization. In such instances, it is advisable to present all the facts to the district office of the Immigration and Naturalization Service of the Department of Justice for a decision as to citizenship status. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION) (U. S. IMM. & NAT. SERV.)

117-72 CIVIL SERVICE RECORDS AS PROOF

117-72

When the naturalization certificate has been lost and the court record of naturalization is known to have been destroyed, the applicant's claim to citizenship may be established through Federal, State or local civil service records. A statement from the proper authority that foreign-born applicants were required to present proof of citizenship on or before the date of employment under Civil Service may be obtainable. (U. S. IMM. & NAT. SERV.)

117-75 EMPLOYMENT RECORDS AS PROOF

117-75

When the naturalization certificate has been lost and the court record of naturalization is known to have been destroyed, it may be possible to establish the applicant's claim to citizenship through employment records. Some industrial concerns employ only citizens and an official statement from the employer of the proof of citizenship presented by the foreign-born employee may be obtainable. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION) (U. S. IMM. & NAT. SERV.)

117-78 WITNESS TO APPLICATION FOR CITIZENSHIP AS PROOF

117-78

If the naturalization certificate has been lost or the court record is known to have been destroyed, the fact that a person has acted as a witness for another person who is applying for citizenship establishes the citizenship of the witness. In the case of a native-born witness, a sworn statement as to native birth is required. A foreign-born citizen who acts as a witness is required to present his own certificate of naturalization. (SEE SECS. 112-00, CITIZENSHIP OAS LAW, AND 231-50, CITIZENSHIP VERIFICATION) (U. S. IMM. & NAT. SERV.)

130-00 (Continued)

130-00

OLD AGE SECURITY	AID TO NEEDY BLIND AID TO PARTIALLY SELF- SUPPORTING BLIND RESIDENTS	AID TO NEEDY CHILDREN
<p>MONEY RECEIVED FROM A CONDEMNATION SALE OF A RECIPIENT'S HOME SHALL NOT BE DEEMED PERSONAL PROPERTY FOR ONE YEAR FROM DATE OF THE RECEIPT OF THE MONEY. (W&IC 2165D)</p> <p>IF, ON THE DEATH OF A RECIPIENT OF OAS, IT IS FOUND THAT HE WAS POSSESSED OF PROPERTY OR INCOME IN EXCESS OF THE AMOUNT ALLOWED BY LAW AND THAT HE HAS NOT DISCLOSED THE SAME TO THE BOARD OF SUPERVISORS, DOUBLE THE AMOUNT OF AID PAID HIM IN EXCESS OF THAT TO WHICH HE WAS LEGALLY ENTITLED MAY BE RECOVERED BY THE SDSW AS A PREFERRED CLAIM FROM HIS ESTATE. (SEE SEC. 138-10, EXCESS ASSETS IN REAL PROPERTY DISCOVERED AT DEATH.) (W&IC 2223)</p>		

130-00 (Continued)

130-00

OLD AGE SECURITY	AID TO NEEDY BLIND AID TO PARTIALLY SELF- SUPPORTING BLIND RESIDENTS	AID TO NEEDY CHILDREN
<p>A PERSON WHO HAS RECEIVED AID IN GOOD FAITH, HONESTLY BELIEVING HIMSELF TO BE ENTITLED THERETO, BUT WHO IS FOUND TO HAVE POSSESSED PROPERTY IN EXCESS OF THE AMOUNT ALLOWED UNDER THE PROVISIONS OF THIS CHAPTER, SHALL BE CONSIDERED TO HAVE BEEN INELIGIBLE FOR AID ONLY DURING THE PERIOD FOR WHICH THE EXCESS PROPERTY, IF IT HAD BEEN APPLIED TO HIS SUPPORT AT THE RATE OF THE AID GRANTED TO HIM, WOULD HAVE SUPPORTED HIM. IN SUCH CASE THE RECIPIENT SHALL REPAY ONLY THE AID HE RECEIVED DURING SUCH PERIOD OF INELIGIBILITY. (W&IC 2223.5)</p> <p>AID SHALL BE GRANTED TO ANY PERSON, OTHERWISE ELIGIBLE, WHO HAS NOT MADE ANY VOLUNTARY ASSIGNMENT OR TRANSFER OF PROPERTY FOR THE PURPOSE OF QUALIFYING FOR SUCH AID. (SEE SEC. 135-00, TRANSFER OF REAL PROPERTY TO QUALIFY FOR AID.) (W&IC 2160G)</p> <p>NO PERSON SHALL BE DENIED ANY AID UNDER THIS CHAPTER FOR ANY TRANSFER OF HIS PROPERTY WHICH TRANSFER DOES NOT DEPRIVE HIM OF THE PRESENT USE, ENJOYMENT OR INCOME THEREOF AND DOES NOT RENDER HIM INELIGIBLE UNDER MAXIMUM PROPERTY LIMITATIONS. (W&IC 2007.5)</p> <p>AID GRANTED UNDER OAS LAW SHALL NOT CONSTITUTE A LIEN UPON ANY PROPERTY OF THE RECIPIENT. (SEE SEC. 139-00, LIENS ON REAL PROPERTY.) (W&IC 2225)</p> <p>ANY PERSON WHO, KNOWING HE IS NOT ENTITLED THERETO, OBTAINS OR ATTEMPTS TO OBTAIN AID TO WHICH HE IS NOT ENTITLED, OR A LARGER AMOUNT THAN THAT TO WHICH HE IS LEGALLY ENTITLED, OR THE PAYMENT OF ANY FORFEITED INSTALLMENT GRANT, IS GUILTY OF A MISDEMEANOR.</p> <p>ANY PERSON WHO, KNOWING THAT THE OWNER OF THE PROPERTY IS AN APPLICANT, AIDS OR ABETS IN BUYING OR IN ANY WAY DISPOSING OF THE PROPERTY OF AN APPLICANT SHALL GIVE FIFTEEN DAYS NOTICE OF THE INTENTION TO MAKE THE TRANSFER, TO THE BOARD OF SUPERVISORS BY SERVING UPON THE CHAIRMAN OF THE BOARD A DECLARATION IN WRITING SETTING FORTH THE NAME OF THE OWNER OF THE PROPERTY, THE FACT THAT HE IS AN APPLICANT, A DESCRIPTION OF THE PROPERTY SUFFICIENT TO ENABLE IT TO BE IDENTIFIED WITH REASONABLE CERTAINEY, AND THE TIME AND PLACE WHERE THE CONTEMPLATED TRANSACTION WILL BE COMPLETED. FAILURE TO GIVE SUCH NOTICE SHALL CONSTITUTE A MISDEMEANOR. (SEE SEC. 136-00, NOTICE OF INTENTION TO AID IN TRANSFER OF REAL PROPERTY) (W&IC 2007)</p>		

(Section Continued on Next Page)

172-10 INVESTIGATION OF RESPONSIBLE RELATIVES WITHIN STATE
ANC

172-10

The county shall determine the ability of the parent or parents of a child for whom application is being made, to assist the child. The financial situation of the parent or parents shall be verified.

When it is impossible to verify the parents' financial situation, the records must show the efforts of the county to obtain this information.

Allowances for parents, brothers, sisters and grandchildren of servicemen are entirely voluntary and may be terminated at any time by the serviceman. (SEE SECS. 460-10, DEPENDENTS ELIGIBLE UNDER SERVICEMEN'S DEPENDENTS ALLOWANCE ACT, AND 460-50, TERMINATION OF ALLOWANCES.) Applicants and recipients shall not be required to request such allotments as a condition to the granting of aid. (W&IC 1560; CC 206)

172-15 DETERMINATION REGARDING CONTRIBUTIONS FROM OUT-OF-STATE
RESPONSIBLE RELATIVES
OAS, ANB, APSB

172-15

The county shall not contact responsible relatives, including members of the armed forces, who are living outside the state unless there is reason to believe that they are contributing. Inquiries shall be to determine the contribution, if any, or the amount of contribution which will be made. The inquiry shall be by direct correspondence with the relative unless the recipient has acceptable verification of the amount of the contribution received. Neither a sworn statement nor the usual responsible relatives' statement (Form Ag, Bl 225) shall be requested of a relative living outside this state.

See Secs. 152-50, Contributions from Legally Responsible Relatives as Income, and 152-60, Offer of Support as Income. (W&IC 1560, 2140, 3075, 3460; CC 206)

172-05 (Continued)

172-05

The securing of a signed responsible relatives' statement (Form B1 225) although not mandatory, is an acceptable method of determining the pecuniary ability of a responsible relative to assist the applicant or recipient.

The granting of, or continued receipt of, aid shall not be contingent upon the filing of signed statements by responsible relatives or upon recovery of aid. Aid shall be granted to properly qualified persons regardless of whether they have relatives of proper degree of kinship who are able, though not willing, to support or to contribute to the support of the person.

Aid shall not be denied if the responsible relative fails to return his signed statement unless the investigation indicates:

1. That the applicant or recipient is in receipt of contributions from responsible relatives in cash or in kind;
2. That these meet the extent of his verified needs; and
3. The responsible relatives are able and willing to continue such support.

When the initial inquiry and a thirty day follow-up request for a signed statement from a responsible relative brings no reply, or where it has been impossible to communicate with a responsible relative by any method within a reasonable time and other investigation is completed, action shall be taken on the application.

If the person receiving aid has within the State a spouse, parent, or adult child pecuniarily able to support such person but who is not supporting or contributing to the extent of his ability as determined by either of the above two methods, the county may request the district attorney or other civil legal officer of the county granting aid to proceed against such kindred in the order of their responsibility to support. Upon such demand, the district attorney or other legal officer may on behalf of the county maintain an action in the Superior Court of the county granting aid against the relative.

See Secs. 152-50, Contributions from Legally Responsible Relatives as Income; 152-60, Offer of Support as Income; 234-00, Statement of Responsible Relatives of Applicant; and 351-30, Reinvestigation of Relatives. (W&IC 3075, 3088, 3460 3474)

287-05 RACE

287-05

ANB, APSB--Item 9
ANC--Item 11

- a. WHITE--Generally members of the Caucasian race are classified as white. Possible deviations are enumerated under d.
- b. NEGRO--A person of mixed white and negro blood (of any percentage) is classified as a Negro. Both black and mulatto persons are reported as Negroes. A person of mixed Indian and Negro blood is reported as a Negro, unless Indian blood predominates and person's status as an Indian is generally accepted in the community.
- c. MEXICAN--Circle if individual is generally accepted as Mexican.
- d. OTHER--When applicant or payee (ANC) is neither white, Mexican, nor Negro, circle (c) and specify race to which he belongs, as "Indian," "Chinese," etc. "Other races" include the following: Indian, Chinese, Japanese, Filipino, Hindu, Korean, Hawaiian, Malayan, Siamese, Samoan, all other. The following statement applies to classification of Indians, and other mixed races:

INDIANS--A white person of mixed white and Indian blood is recorded as Indian, except where the percentage of Indian blood is very small, or where he is regarded as a white person in community where he lives.

OTHER MIXED RACES--Mixtures of white and non-white races are reported according to the non-white parent. Mixtures of colored races are reported according to race of father, except Negro-Indian as explained under b. (See line b of this item.) (W&IC 115, 116)

287-10 DATE OF BIRTH

287-10

ANB, APSB--Item 10
ANC--Items 12, 18--Col. 6

For ANB and APSB enter month, day and year of birth, which in opinion of public assistance worker is most accurate. This date need not be verified birth date. For ANC payee, enter year of birth only. If exact year is unknown, enter estimated year and mark "estimated." (W&IC 115, 116)

285-00 PURPOSE, COLLECTION OF SOCIAL DATA RECORD CARDS
ANB, APSB, ANC

285-00

The data collected on Social Data Record Card (Form Bl, or CA 230) provides:

1. Source data from which estimates on proposed legislation can be prepared for State Legislature;
2. Information against which SDSW may check results of departmental rulings, legislation and economic changes;
3. Information for release by SDSW for use of county welfare administrators and other public officials. (W&IC 115, 116)

286-00 SUBMISSION OF SOCIAL DATA RECORD CARDS
ANB, APSB, ANC

286-00

Social Data Record Card (Form Bl, or CA 230) shall accompany each approved application (Form Bl or CA 200) submitted to SDSW. A Form Bl 230 shall accompany each application (Form Bl 200) for an APSB case even though case has been continuously on aid under the regular ANB program. (SEE SEC. 289-99, FORMS USED IN SOCIAL DATA RECORD CARD.) (W&IC 115, 116)

286-05 INSTRUCTIONS ON SOCIAL DATA RECORD CARDS
ANB, APSB, ANC

286-05

Items that are self-explanatory or for which instructions are printed on Social Data Record Card are not included in the following sections which contain instructions for completion of the forms. (W&IC 115, 116)

287-30 WAS CASE RECEIVING PUBLIC ASSISTANCE FROM ANOTHER STATE DURING 287-30
THE LAST 12 MONTHS WHILE LIVING IN CALIFORNIA?

ANB, APSB--Item 15

ANC--Item 16

If applicant for ANB or APSB or any of the children under ANC has received aid during last 12 months from another state while living in California, circle (a) and enter name of state in space provided opposite line a of this item. If it is known that case did not receive aid from another state during last 12 months while living in California, circle line (b). If it is not known whether applicant or children were object of an aid payment from another state, circle line (c). (W&IC 115, 116)

287-35 PRESENT MARITAL STATUS

287-35

ANB, APSB--Item 16

ANC--Item 18--Col. 10

See Glossary--Marital Status.

287-15 PLACE OF BIRTH

287-15

ANB, APSB--Item 11

ANC--Items 13, 18--Col. 7

If applicant, payee, or child was born in United States, give state or territory in which born. If he was born in United States but state of birth is unknown, enter "U. S.--Unk." If applicant was not born in United States, give country of birth. When there is uncertainty as to how to identify foreign country of birth, enter name of country and also province or state in which person was born. Enter name by which country or province was known on birth date of applicant. If foreign country of birth is unknown, enter "Foreign--Unk." If place of birth is entirely unknown, enter "Unk." (W&IC 115, 116)

287-18 CITIZENSHIP

287-18

ANB, APSB--Item 12

See Sec. 287-85, Citizenship, for instructions for this item.

287-20 TOTAL YEARS IN CALIFORNIA

287-20

ANB, APSB--Item 13

ANC--Items 14, 18--Col. 8

Enter total number of years during which applicant, payee, or child in ANC has lived in California, disregarding interruptions. An approximate number is acceptable. The years are computed as of date Social Data Record Card is completed.

EXAMPLE: APPLICANT IS 66 YEARS OLD AND HAS SPENT 20 YEARS OUT OF STATE. ENTER NUMBER 46. (W&IC 115, 116)

287-25 PLACE WHERE LAST SPENT ONE YEAR PRIOR TO COMING TO CALIFORNIA

287-25

ANB, APSB--Item 14

ANC--Item 15

Enter state where applicant or payee (ANC) last spent at least one year prior to his last entry into California. If applicant came to California from a foreign country, enter name of country where he last lived at least one year. If applicant or payee (ANC) was born in California and has never lived continuously in any other state or country for at least one year, enter "No other state." (W&IC 115, 116)

287-52 LIVING ARRANGEMENTS TO BE EFFECTIVE
WHEN FIRST PAYMENT IS RECEIVED

287-52

ANB, APSB--Item 18

This item is to show living arrangements to be effective when the first ANB or APSB payment is received.

- a. ALONE--Circle (a) if applicant is to live alone in house, apartment, or furnished room, preparing his own meals or eating elsewhere.
- b. WITH SPOUSE ONLY--Circle (b) if applicant is to live with spouse only, regardless of whether or not they are to live in house, apartment, furnished room, or lodging house.
- c. WITH PARENTS--Circle (c) if applicant is to live in a household with parents (with or without spouse), whether or not applicant has meals with household group.
- d. WITH ADULT CHILDREN--Circle (d) if applicant is to live in household group with adult children (with or without spouse) regardless of whether or not applicant has meals with household group.
- e. WITH OTHER RELATIVES OR FRIENDS--Circle (e) if applicant (with or without spouse) is to live in household group with other relatives or friends, whether or not applicant has meals with household group.
- f. IN BOARDING HOME FOR AGED--Circle (f) if applicant (with or without spouse) is to live in a boarding home for aged persons.
- g. IN INSTITUTION--Circle (g) if applicant (with or without spouse) is to live in a private institution.
- h. OTHER--Circle (h) if applicant's living arrangement which is to be effective upon receipt of aid does not conform to descriptions of lines (a) through (g) of this item. Specify type of living arrangement on line (h), e. g., boarding house, etc. (W&IC 115, 116)

287-56 INSTRUCTION IN HANDICRAFT, BRAILLE, TYPING, ETC.

287-56

ANB, APSB--Item 19

Circle the appropriate item to indicate whether or not the applicant has received instruction in handicraft, Braille, typing, etc., or is currently receiving such instruction. (W&IC 115, 116)

287-42 SUPPORT DURING 12 MONTHS IMMEDIATELY PRIOR TO DATE OF APPLICATION 287-42
ANB, APSB--Item 17

Circle each item for which applicant for ANB or APSB received some support during the 12 months immediately prior to application for aid.

If applicant received income from a source not classifiable by lines (a) through (g), circle (h) "Other" and write in the source in space provided. If applicant was wholly or partially supported by an unrevealed source, circle (i).

- a. OWN EARNINGS--Includes earnings from applicant's own labor or services, income from business, etc.
- b. SAVINGS--Refers to accumulated cash, securities, etc., from which applicant has obtained some support during 12 months immediately prior to application.
- c. SPOUSE--Any support provided by spouse irrespective of spouse's source of income is classified under (c). If spouse who is applying for ANB or APSB contributed to family income from earnings or resources an amount equal to his pro rata share of expenses, do not classify as supported by spouse. When a housewife who has been dependent upon her husband's earnings for support applies for ANB or APSB, circle (c).
- d. CHILDREN--Support contributed by children of applicant is classified under (d). Contributions by children for care of a couple are classified under (d) even though actual payment may have been made to applicant's spouse. Do not classify under this item support received from allotments and allowances of children in the armed services; use item (f).
- e. PARENTS--Circle this item if support was received from parents during the last 12 months.
- f. ALLOTMENTS AND ALLOWANCES FROM MEN IN THE ARMED SERVICES--Circle if support is received from this source.
- g. PUBLIC ASSISTANCE--If applicant received any public assistance during last 12 months preceding this application, circle (g) and specify type of assistance.
- h. OTHER--Classify under (h) support obtained by applicant from all known sources not classifiable under lines (a) through (g). This will include income from property rentals, etc.
- i. UNKNOWN--Do not routinely mark this item for miscellaneous sources of income. Use it only in cases in which applicant received income from an unrevealed source.

Specify chief source of support--Of the sources of support of the recipient during the past 12 months as indicated in items (a) through (i) specify the most important source of support of the individual. (W&IC 115, 116)

287-70 NATURE OF REAL PROPERTY

287-70

ANB, APSB--Item 23C

Classify each parcel of real property owned by applicant according to lines 1 through 4. If lines 1, 2, or 3 do not properly describe property, circle (4) and specify type of property in space provided.

1. APPLICANT'S HOME--Circle (1) if applicant owns his home. Buildings on same parcel of property as applicant's dwelling should be included under this item.
2. OTHER IMPROVED PROPERTY--Circle (2) for any improved real property that is not included in same parcel as dwelling owned and occupied by applicant. See Glossary, Improvements.
3. UNIMPROVED PROPERTY--Circle (3) if applicant owns a parcel of real property that is unimproved.
4. OTHER--Circle (4) if property owned by applicant is not classifiable according to lines (1) through (3). (W&IC 115, 116)

287-75 PERSONAL PROPERTY

287-75

ANB, APSB--Item 21

See Glossary--Personal Property for definition.

- a. CASH--Enter the amount of cash in addition to the ANB or APSB grant.
- b. SECURITIES--Enter value of securities including cash value of insurance not exempt under W&IC Secs. 3047 or 3447, also total value of encumbrances on such securities and insurance.
- c. OTHER--Enter total value of any other personal property, and total encumbrances thereon. (W&IC 115, 116)

287-85 CITIZENSHIP

287-85

ANB, APSB--Item 12

ANC--Item 17

See Sec. 112-05, Citizenship, ANB, APSB and ANC Laws. No specific reference is made to definition of an alien in Chapter 112-00, Citizenship. Sec. 113-75, Process of Individual Naturalization, defines first papers. If applicant or ANC payee has not established citizenship or filed intention of becoming a citizen (first papers), circle (c). (W&IC 115, 116)

287-57 INTEREST IN TRAINING, EMPLOYMENT OR INSTRUCTION

287-57

ANB, APSB--Item 20

- a. REHABILITATION TRAINING--Circle (a) if applicant is interested in receiving rehabilitation training. Rehabilitation training refers to the training of an individual so that he may engage in some remunerative trade or occupation.
- b. EMPLOYMENT--Circle (b) if applicant is interested in obtaining employment.
- c. INSTRUCTION IN HANDICRAFT, BRAILLE, TYPING, ETC.--Circle item (c) if applicant is interested in receiving instruction in handicraft, Braille, typing or some other instruction of therapeutic value.
- d. NONE--Check item (d) when applicant is not interested in employment or any type of training or instruction. (W&IC 115, 116)

287-59 LIFE INSURANCE

287-59

ANB, APSB--Item 22

- a. NONE--Circle (a) if applicant does not own any life insurance policy (including so-called "burial" insurance).
- b. OWNS EXEMPT POLICY--Circle (b) if applicant owns a life insurance policy (including so-called "burial" insurance) which is exempt from consideration.
- c. OWNS NON-EXEMPT POLICY--Circle (c) if applicant owns a life insurance policy (including so-called "burial" insurance) which is non-exempt under W&IC Secs. 3047 or 3447. (W&IC 115, 116)

287-60 ASSESSED VALUE OF REAL PROPERTY

287-60

ANB, APSB--Item 23A

Report total assessed valuation of all separate real property owned by applicant and his share of community property. (SEE SEC. 131-12, OWNERSHIP OF SEPARATE AND COMMUNITY REAL PROPERTY).

For definition of ownership see Sec. 131-05, Ownership of Real Property, See also Glossary, Assessment, and Real Property. (W&IC 115, 116)

287-65 AMOUNT OF ENCUMBRANCES ON REAL PROPERTY

287-65

ANB, APSB--Item 23B

Enter in this item total encumbrances upon property reported in Item 23A. Include only amount which represents a specific debt against the property. Include any delinquent taxes, unpaid balances on contract purchases, liens, mortgages, trust deeds, etc. (SEE GLOSSARY--ENCUMBRANCE, AND SEC. 132-03, ENCUMBRANCES OF RECORD DEDUCTED FROM ASSESSED VALUE OF REAL PROPERTY.) (W&IC 115, 116)

288-30 REASON FOR DEPRIVATION OF PARENTAL SUPPORT

288-30

ANC--Item 18; Cols. 12 and 14

Record under Columns 12 and 14 of Item 18 the reason in the heading of the columns which most nearly states the reason why either or both parents are not able to support the children. These reasons are not to be confused with the statutory classifications noted in Chapter 190-00, Classification, but should record the reason for the deprivation of support of the natural or adoptive parent(s). The following definitions of reasons apply:

DEAD--Report as dead those persons for which proof of death is a matter of record or persons who have been declared legally dead by a court.

DESERTED (DES.)--Record as deserted all cases in which whereabouts of parent is unknown and parent is not contributing to support of child for that reason.

IMPRISONMENT (IMPRIS.)--Record as imprisoned only if father and/or mother is incarcerated in a State or Federal penal institution.

MENTALLY INCAPACITATED (MEN, INC.)--Record as mentally incapacitated if parent has been committed to a mental hospital for treatment. Parolees from State hospitals are to be classified as mentally incapacitated.

PHYSICALLY INCAPACITATED (PHY. INC.)--Record as physically incapacitated only those cases in which parent is permanently physically incapacitated to the extent that he or she is unable to work at gainful employment.

TUBERCULOUS--Record as tuberculous those parent(s) who are suffering from tuberculosis.

UNKNOWN (UNK.)--Record as unknown if parent is unknown. (W&IC 115, 116)

288-35 DATE OF OCCURRENCE

288-35

ANC--Item 18; Cols. 13 and 15

In space provided in Columns 13 and 15 record date on which child was deprived of parent's support for reason stated. This should not be date that the board of supervisors approved the ANC case but should be date of death, date of commitment to a mental hospital, date illness first was diagnosed as tuberculosis, date of imprisonment, date parent left home or otherwise deserted the child and ceased contributing to his support, etc. (W&IC 115, 116)

287-90 OTHER PUBLIC OR PRIVATE ASSISTANCE APPROVED
IN HOUSEHOLD OF APPLICANT

287-90

ANB, APSB--Item 24

The purpose of this item is to show at time of investigation all forms of public or private assistance received by any member of household, including applicant, simultaneously with ANB or APSB. ANB or APSB which is to be discontinued upon applicant's receipt of first payment of ANB or APSB, or soon thereafter, is not to be included. Check only the types of assistance which are to continue as part of the relief plan.

- a. NONE--Circle (a) if no other public or private relief is to be received by any member of household.
- b. ANC--Circle (b) if ANC has been approved for member or members of household.
- c. OAS--Circle (c) if OAS has been approved for member or members of household.
- d. GENERAL RELIEF--Circle (d) if county is extending general assistance from county indigent funds in addition to county's portion of aid costs under ANB, APSB, or ANC programs to member or members of household.
- e. ANOTHER ANB OR APSB GRANT--Circle (e) if another ANB or APSB grant has been approved for another member or members of household. Give State case number or numbers.
- f. OTHER PUBLIC ASSISTANCE--Circle (f) if any other type of public assistance has been approved for any member of household, such as a regular grant from public funds for special forms of health service to child or children in household. Do not circle (f) if member of household is receiving care at a hospital or in some other public institution. Specify type of assistance.
- g. PRIVATE AGENCY--Circle (g) if relief is received by member of household from private or semiprivate, nonprofit, incorporated agency. Such assistance does not include care in a private hospital or in other private institutions.
- h. UNKNOWN--Circle (h) if at time of the investigation it is unknown whether household will receive other public or private relief simultaneously with ANB or APSB. (W&IC 115, 116)

288-25 LIVING ARRANGEMENT OF CHILD

288-25

ANC--Item 18; Col. 11

This item is intended to record the living arrangement of children for whom ANC grant is made. If the mother or father or both are in household with the child, select the code for this item which indicates presence of parent(s) regardless of whether parent is or is not the payee, e.g., if the child is living with her grandmother who is the payee and both parents are in the home, enter code "1." If the child is living with a brother or sister and both parents are absent, enter code "8." (W&IC 115, 116)

291-05 ESTABLISHMENT OF THE BASIC SAMPLE
OAS

291-05

In order to establish the basic body of information on the cases to be included in the sample, schedules are to be completed for all sample cases, i.e., State Case Numbers whose last two digits are 22,44, 66, or 88, that are active on January 1, 1948.

The basic schedules are to be submitted to the SDSW prior to March 1, 1948. (W&IC 115, 116)

291-10 MAINTENANCE OF A CURRENT SAMPLE
OAS

291-10

In order to maintain current information on all sample cases, schedules are to be submitted on all cases with the specified case number endings at the time of:

1. Approval of the original grant of aid.
2. Approval of reapplication for aid.
3. Restoration of aid.
4. Annual reinvestigation of eligibility

(W&IC 115, 116)

292-00 INSTRUCTIONS ON COMPLETION OF OAS SAMPLE STUDY SCHEDULE
OAS

292-00

Items that are self-explanatory are not included in the following sections.

292-05 RACE
OAS

292-05

OAS-Item J

1. White - Generally members of the Caucasian race are classified as white. Possible deviations are enumerated under 4. Mexicans are classified in 3.
2. Negro - A person of mixed white and negro blood (of any percentage) is classified as a Negro. Both black and **mulatto persons are recorded** as Negroes. A person of mixed Indian and Negro blood is reported as a Negro, unless Indian blood predominates and the person's status as an Indian is generally accepted in the community.
3. Mexican - Circle if individual is generally accepted as Mexican.

(Section Continued on Next Page)

**290-00 PURPOSE, OAS PERMANENT SAMPLE
OAS**

290-00

The OAS Sample Study is planned to collect socio-economic data on a representative sample of OAS cases.

This procedure **supersedes** reporting on the Social Data Record Card- (Form Ag 230).

Information collected on the OAS Permanent Sample Schedule (Form Ag 251) will be used:

1. To prepare estimates on the cost and effect of proposed legislation.
2. To check the possible results of proposed departmental rulings, procedures, etc.
3. To estimate the effect of economic changes, trends, etc.
4. To provide basic socio-economic data on OAS for county welfare administrators, other public officials, and press releases.
5. To provide information required for special and routine reports of the Social Security Administration.

This basic schedule is planned with a view of answering the questions most frequently raised. However, questions which arise from time to time, e.g., during Legislative Sessions, will require special studies. The cases included in the OAS Permanent Sample will form the sample for special studies as the need for such inquiries arise. In many instances, only a portion of the OAS Permanent Sample will be utilized. The number to be included will depend upon the complexity of the inquiry. The SDSW will prepare a list of the cases to be included and otherwise assist in minimizing and routinizing the work of county welfare departments in meeting request for special data on OAS. (W&IC 115, 116)

**291-00 SUBMISSION OF OAS SAMPLE STUDY SCHEDULES
OAS**

291-00

An OAS Sample Study Schedule (Form Ag 251) is to be completed in duplicate for all OAS cases for which the last two digits of the State Case Numbers are 22, 44, 66, or 88. One copy is to be sent to the SDSW. One copy is to be filed with the county case record. (W&IC 115, 116)

292-25 SOURCE OF SUPPORT DURING 12 MONTHS IMMEDIATELY PRIOR TO 292-25
APPLICATION OR REAPPLICATION
OAS

OAS-Item N

Complete this item only on new applications and reapplications.

Circle each item from which the recipient received some support during the 12 months immediately prior to the application or reapplication for aid.

1. Own earnings - Includes earnings from applicant's own labor or services, income from business, etc.
2. Savings - Includes accumulated cash, securities, etc.
3. Children - Includes support in cash or kind by children of recipient. Circle this item even if the children's contributions for the recipient were paid to the recipient's spouse. This item does not include support received from allotments and allowances of children in the armed services; in such case circle Item 7 and specify this type of support.
4. Spouse - Includes any support provided by spouse irrespective of spouse's source of income. (Except as specified in 3.)
5. Old Age and Survivor's Insurance - Includes primary, wife's, widow's, parent's, or lump sum payments made to the recipient under Title II of the Federal Social Security Act.
6. Public Assistance - Specify, such as General Relief, Aid to the Blind, included in ANC budget, etc.
7. Other - Specify such as military benefits, veteran's pension, industrial pension, church pension, workmen's compensation, income from property, support by relative other than spouse or child, support by friends, Railroad Retirement benefits, Unemployment Insurance benefits, confined to jail or prison, confined to state or county hospital, etc. (W&IC 115, 116)

292-30 PRESENT MARITAL STATUS
OAS

292-30

OAS-Item O

See Glossary - Marital Status.

292-05 (Continued)

292-05

4. Other - When the recipient is neither white, Mexican, nor Negro, circle 4 and specify race to which he belongs, as "Indian", "Chinese", etc. "Other races" include the following: Indian, Chinese, Japanese, Filipino, Hindu, Korean, Hawaiian, Malayan, Siamese, Samoan, all other. The following statement applies to classification of Indians, and other mixed races:

Indians - A white person of mixed white and Indian blood is recorded as Indian, except where the percentage of Indian blood is very small, or where he is regarded as a white person in the community where he lives.

Other mixed races - Mixtures of white and non-white races are reported according to the non-white parent. Mixtures of colored races are reported according to the race of the father, except Negro-Indian as explained under 2. (W&IC 115, 116)

292-10 DATE OF BIRTH
OAS

292-10

OAS-Item K

Enter the month, day, and year of birth which in the opinion of the public assistance worker is most accurate. This date may not be verified birth date since verification frequently does not go beyond that required to establish eligibility. (W&IC 115, 116)

292-15 TOTAL YEARS IN CALIFORNIA
OAS

292-15

OAS-Item L

Enter the total number of years the recipient has lived in California, disregarding interruptions, as of the date the OAS Permanent Sample Schedule is completed. This may not be the verified years but should be the number of years which in the opinion of the public assistance worker is most nearly correct. If the recipient has lived in California since birth, enter his age. (W&IC 115, 116)

292-20 PLACE WHERE SPENT ONE YEAR PRIOR COMING TO CALIFORNIA
OAS

292-20

OAS-Item M

Complete this item only on new applications and reapplications.

Enter state or foreign country where recipient last spent at least one year prior to his last entry into California. If the recipient has lived continuously in California, enter "Native". (W&IC 115, 116)

292-45 LIFE INSURANCE OR BURIAL TRUST
OAS

292-45

OAS-Item R

1. Non-exempt insurance - Circle 1 if the recipient owns insurance of the type that must be evaluated as a personal property asset.
2. Exempt insurance - Circle 2 if the recipient owns insurance that is exempt as a personal property asset under W&IC Sec. 2163.
3. Burial trust - Circle 3 if the recipient has a burial trust that is exempt under W&IC Sec. 2163.6. This does not include burial plots. Insurance which is to provide burial costs is classified as life insurance and should be reported under 1 or 2. (W&IC 115, 116)

292-50 REAL PROPERTY (RECIPIENT AND SPOUSE): EXCLUDE BURIAL PLOTS
OAS

292-50

OAS-Item S

1. Total assessed value - Enter total assessed value of real property held by applicant and spouse. Include both separate and community real property except as provided in Sec. 131-18, Ownership of Real Property by Separated Spouse. Show total gross amount of the assessed valuation. Do not deduct encumbrances. See Sec. 131-05, Ownership of Real Property.
2. Total encumbrances - Enter total amount of encumbrances of record upon property reported in 1. Include only amount which represents a specific debt against the property. Examples of encumbrances of record are liens, mortgages, trust deeds, etc. See Sec. 132-03, Encumbrances of Record Deducted from Assessed Value of Real Property.

Nature of property:

3. Recipient's home - Circle 3 if the amount of assessed value shown in 1 includes the recipient's home. Buildings on the same parcel of property as recipient's dwelling which is in the opinion of the public assistance worker are part of his home should be included in this item.
4. Other improved property - Circle 4 if the amount of assessed value shown in 1 includes improved real property not included as part of the home owned and occupied by recipient.

(Section Continued on Next Page)

292-35 LIVING ARRANGEMENTS
OAS

292-35

OAS-Item P

1. Alone - Circle 1 if the recipient lives alone in a house, apartment or furnished room, preparing his own meals or eating elsewhere.
2. With spouse only - Circle 2 if the recipient lives with his spouse only, regardless of whether they live in a house, apartment, furnished room or lodging house.
3. With adult children - Circle 3 if the recipient lives (with or without spouse) in a household group with adult children regardless of whether he has meals with the household group.
4. With other relatives or friends - Circle 4 if the recipient lives (with or without spouse) in a household group with other relatives or friends regardless of whether he has meals with the household group.
5. Boarding Home - Licensed by or under authority of SDSW.
6. Institution - Licensed by or under authority of SDSW.

If the OAS recipient is living in a boarding home or private institution licensed by or under the authority of the SDSW, circle Item 5 or Item 6, respectively. Agencies licensed by the SDSW as Accredited Agencies, to inspect and license boarding homes, are considered to be operating under the authority of the SDSW.

Item 5 and Item 6 do not include homes or institutions licensed by the State Department of Public Health or the State Department of Mental Hygiene.

7. Other - Circle 7 and specify for living arrangements other than those included under 1-6. Include here, for example, rest homes, convalescent homes, etc., licensed by the Department of Public Health, homes licensed by Department of Mental Hygiene for the care of parolees from mental hospitals. (W&IC 115, 116)

292-40 PERSONAL PROPERTY (EXCLUDE PROPERTY EXEMPT UNDER
W&IC SEC. 2163 TO 2163.7)
OAS

292-40

OAS-Item Q

1. Total value - Enter total value of personal property of the recipient excluding property exempt under W&IC, Sec. 2163 to 2163.7 inclusive. If none, enter "none".
2. Total encumbrances - Enter total encumbrances on property indicated under 1. If none, enter "none". (W&IC 115, 116)

292-65 AMOUNT OF CURRENT GRANT
OAS

292-65

OAS-Item V

Enter the amount of the grant for the month of approval shown in G.
(W&IC 115, 116)

292-70 OTHER INCOME
OAS

292-70

OAS-Item W

Enter the source and amount of each item of income other than the OAS grant.

Common sources of income are as follows: General Relief during first month of aid, use and occupancy of home, Old Age and Survivor's Insurance, Railroad Retirement benefits, Unemployment Insurance, contributions from spouse or adult children, contributions from non-responsible relatives or friends, pensions, annuities, income from real property, earnings, etc. In the case of contributions, care should be taken to distinguish between contributions from responsible relatives and non-responsible relatives or friends.

If the recipient has no income other than the OAS grant, enter "none".
(W&IC 115, 116)

292-50 (Continued)

292-50

5. Unimproved property - Circle 5 if the amount of assessed value shown in 1 includes a parcel of real property which is unimproved. Exclude burial plots.

6. Other - Circle 6 and specify the nature of the property if the amount of assessed value shown in 1 includes property not described by 3, 4, or 5. Exclude burial plots. (W&IC 115, 116)

292-55 TYPE OF GRANT
OAS

292-55

OAS-Item T

1. Flat grant - Circle 1 if the amount of the recipient's grant (shown in V) is calculated by the flat grant method; i.e., maximum grant minus income, if any.

2. Budget - Circle 2 if the amount of the recipient's grant (shown in V) is calculated by the budget method; i.e., total need, as computed from the latest budget schedule, minus income (grant not exceeding current maximum).

3. Excess need - Circle 3 if the amount of the recipient's grant (shown in V) is calculated by the excess need method; i.e., total need determined by adding cost of special needs to current maximum grant, minus income (grant not exceeding current maximum). (W&IC 115, 116)

292-60 AMOUNT OF TOTAL NEED
OAS

292-60

OAS-Item U

Enter the amount of total need as calculated by the budget or excess need method upon which the grant shown in V is based.

Omit this item for flat grant cases.

(W&IC 115, 116)

STATE OF CALIFORNIA

OLD AGE SECURITY PERMANENT SAMPLE SCHEDULE

DEPARTMENT OF SOCIAL WELFARE

A. COUNTY L. A. D. NAME OF RECIPIENT Jones Oscar R.
 LAST NAME FIRST NAME MIDDLE INITIAL
 B. STATE CASE NUMBER 145298 E. SPOUSE ON OAS
 LAST 2 DIGITS OF NUMBER MUST BE 22, 44, 66 OR 88 1. No
 2. Yes, STATE CASE NUMBER Ala 80456 G. DATE OF APPROVAL 7-1-47 BOARD OF SUPERVISORS' ACTION
 C. COUNTY CASE NUMBER 600000 F. DATE APPLICATION SIGNED 5-5-47 H. MONTH NEXT ANNUAL REINVESTIGATION IS DUE July

COMPLETE TWO COPIES OF THIS SCHEDULE FOR EVERY CASE WHOSE STATE CASE NUMBER ENDS IN 22, 44, 66, OR 88. ONE COPY IS TO BE SENT TO THE STATE DEPARTMENT OF SOCIAL WELFARE AND ONE COPY IS TO BE FILED WITH THE COUNTY CASE RECORD. MANUAL SEC. 291-00.

TO ESTABLISH THE BASIC SAMPLE, A SCHEDULE IS TO BE COMPLETED ON ALL CASES WITH SPECIFIED STATE CASE NUMBERS ACTIVE ON JANUARY 1, 1948. MANUAL SECTION 291-05.

TO MAINTAIN A CURRENT SAMPLE, A SCHEDULE IS TO BE SUBMITTED TO THE SDSW ON ALL CASES WITH SPECIFIED STATE CASE NUMBER ENDINGS AT THE TIME OF (1) APPROVAL OF ORIGINAL GRANT OF AID, (2) APPROVAL OF REAPPLICATION FOR AID, (3) RESTORATION OF AID, (4) ANNUAL REINVESTIGATION OF ELIGIBILITY. MANUAL SECTION 291-10.

I. SEX (CIRCLE ONE):
 1. MALE
 2. FEMALE
 J. RACE (CIRCLE ONE): MAN. SEC. 292-05
 1. WHITE 2. MEXICAN
 3. NEGRO 4. OTHER (SPECIFY)
 K. DATE OF BIRTH 7-20-69
 MAN. SEC. 292-10 MONTH DAY YEAR
 L. TOTAL YEARS IN CALIFORNIA 77
 MAN. SEC. 292-15
 COMPLETE M & N ONLY ON NEW AND REAPPLICATIONS
 M. PLACE WHERE LAST SPENT ONE YEAR PRIOR TO
 COMING TO CALIFORNIA Native
 MAN. SEC. 292-20
 N. SOURCE OF SUPPORT DURING 12 MONTHS IMMEDIATELY PRIOR TO APPLICATION OR REAPPLICATION (CIRCLE EACH KIND RECEIVED): MAN. SEC. 292-25
 1. OWN EARNINGS
 2. SAVINGS
 3. CHILDREN
 4. SPOUSE
 5. OASI
 6. PUBLIC ASSISTANCE (SPECIFY TYPE)
 7. OTHER (SPECIFY) Veteran's Pension
 O. PRESENT MARITAL STATUS (CIRCLE ONE):
 MAN. SEC. 292-30
 1. SINGLE
 2. WIDOWED
 3. DIVORCED
 4. MARRIED, LIVING WITH SPOUSE
 5. MARRIED, NOT LIVING WITH SPOUSE
 P. LIVING ARRANGEMENTS (CIRCLE ONE):
 MAN. SEC. 292-35
 1. ALONE (LIVING ALONE IN HOUSE, APARTMENT, FURNISHED ROOM, ETC.)
 2. WITH SPOUSE ONLY
 3. WITH ADULT CHILDREN
 4. WITH OTHER RELATIVES OR FRIENDS
 5. BOARDING HOME) LICENSED BY OR UNDER
 6. INSTITUTION) AUTHORITY SDSW
 7. OTHER (SPECIFY)
 Q. PERSONAL PROPERTY (EXCLUDE PROPERTY EXEMPT BY W&IC SEC. 2163 TO 2163.7): MAN. SEC. 292-40
 1. TOTAL VALUE \$ 572
 2. TOTAL ENCUMBRANCES \$ None
 R. LIFE INSURANCE OR BURIAL TRUST (CIRCLE APPLICABLE ITEMS): MAN. SEC. 292-45
 1. NON-EXEMPT INSURANCE
 2. EXEMPT INSURANCE W&IC SEC. 2163
 3. BURIAL TRUST W&IC SEC. 2163.6
 S. REAL PROPERTY (RECIPIENT AND SPOUSE): (EXCLUDE BURIAL PLOT) MAN. SEC. 292-50
 1. TOTAL ASSESSED VALUE \$ 540
 2. TOTAL ENCUMBRANCES \$ None
 NATURE OF PROPERTY, (CIRCLE APPLICABLE ITEMS)
 3. RECIPIENT'S HOME
 4. OTHER IMPROVED PROPERTY
 5. UNIMPROVED PROPERTY
 6. OTHER (SPECIFY)
 T. TYPE OF GRANT (CIRCLE ONE) MAN. SEC. 292-55
 1. FLAT GRANT
 2. BUDGET
 3. EXCESS NEED
 U. AMOUNT OF TOTAL NEED \$ 85
 (OMIT FOR FLAT GRANT) MAN. SEC. 292-60
 V. AMOUNT OF CURRENT GRANT \$ 40
 MAN. SEC. 292-65
 W. OTHER INCOME: MAN. SEC. 292-70
 SOURCE AMOUNT
Children \$ 5
Veteran's Pension \$ 40

SIGNATURE OF PERSON COMPLETING SCHEDULE May Brown DATE SCHEDULE COMPLETED 6-29-47

NOTE: ENTRIES ON THIS FORM SHOULD MOST NEARLY REFLECT THE SITUATION IN THE JUDGMENT OF THE PUBLIC ASSISTANCE WORKER AND WILL NOT NECESSARILY BE IDENTICAL WITH VERIFIED DATA CONTAINED IN THE CASE RECORD. E.G., GENERAL EVIDENCE MAY INDICATE A RECIPIENT HAS LIVED IN CALIFORNIA FOR 10 YEARS WHEREAS ONLY 5 YEARS ARE VERIFIED.

REVISION RECORD

Revisions issued in changing this Chapter will be numbered in sequence. Changes made will be indicated by a vertical line in the margin of the corrected page, against the line or lines changed.

IT IS IMPORTANT that the holder of this Manual check the numbers below, corresponding with the numbers of the revisions when the latter have been incorporated in the Manual and the old pages removed, and that the State Department of Social Welfare be promptly notified in the event a number is passed without receipt of the corresponding numbered sheet.

42	52	62	72	82	92	102	112
43	53	63	73	83	93	103	113
44	54	64	74	84	94	104	114
45	55	65	75	85	95	105	115
46	56	66	76	86	96	106	116
47	57	67	77	87	97	107	117
48	58	68	78	88	98	108	118
49	59	69	79	89	99	109	119
50	60	70	80	90	100	110	120
51	61	71	81	91	101	111	121

REFERENCE GUIDE TO CLASSIFICATION CHAPTER

GENERAL

Chart Defining Classification of Needy Children.....	Sec. 190-00
Classification, Definition of.....	191-15
Marriage of Child Eligible for ANC.....	196-35
Needy Child, Definition.....	191-00
Parentage, Determination of.....	191-10
Provisions of ANC Law Relating to Classification.....	190-05
Rehabilitation of Tuberculous or Incapacitated Father (T.B.F. & C.I.F.).....	196-20
Remarriage of Mother of Child Eligible for ANC.....	196-30

TYPES OF CLASSIFICATION

Abandoned Child (Abd.).....	194-00
Child of Incapacitated Father (C.I.F.).....	196-00
Child of Tuberculous Father (T.B.F.).....	195-00
Half-Orphan (H.O.) (General)	193-00
Half-Orphan, Adoption by One Person.....	193-40
" " Dependent Illegitimate Child (Illeg.).....	193-20
" " Parent Committed to Institution (P.C.I.).....	193-30
" " Parent Deceased	193-10
" " Presumptive Death Established.....	193-12
" " Absent Father (AF).....	193-15
Orphan (W.O.)	192-00

FORMS AND INSTRUCTIONS FOR COMPLETION

Form CA 240, Report on Incapacitated Father, Instructions for Completion.....	196-05
Form CA 242, Report on Tuberculous Father, Instructions for Completion.....	195-05

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1	11	21	31	41	51	61	71
2	12	22	32	42	52	62	72
3	13	23	33	43	53	63	73
4	14	24	34	44	54	64	74
5	15	25	35	45	55	65	75
6	16	26	36	46	56	66	76
7	17	27	37	47	57	67	77
8	18	28	38	48	58	68	78
9	19	29	39	49	59	69	79
10	20	30	40	50	60	70	80

PERMANENT SAMPLE PROCEDURES

TABLE OF CONTENTS

Purpose, Old Age Security Permanent Sample.....	Sec. 290-00
Submission of Old Age Security Sample Study Schedules.....	291-00
(Cases to be included in sample)	
Establishment of the Basic Sample.....	291-05
(Cases to be included in sample)	
Maintenance of a Current Sample.....	291-10
Instructions on Completion of Old Age Security Sample Study Schedule.....	292-00
Race	292-05
Date of Birth.....	292-10
Total Years in California.....	292-15
Place Where Spent One Year Prior to Coming to California.....	292-20
Source of Support During 12 Months Immediately Prior to Application or Reapplication.....	292-25
Present Marital Status.....	292-30
Living Arrangements	292-35
Personal Property (Exclude property exempt under W. & I. C. Secs. 2163 to 2163.7).....	292-40
Life Insurance or Burial Trust.....	292-45
Real Property (Recipient and Spouse) : Exclude burial plots.....	292-50
Type of Grant.....	292-55
Amount of Total Need.....	292-60
Amount of Current Grant.....	292-65
Other Income	292-70
Forms Used in Permanent Sample Procedures.....	299-99

REVISION RECORD

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199	205	211	217	223	229	235	241	247	253	259	265	271	277	283	290	296
200	206	212	218	224	230	236	242	248	254	260	266	272	278	284	291	297
201	207	213	219	225	231	237	243	249	255	261	267	273	279	285	292	298
202	208	214	220	226	232	238	244	250	256	262	268	274	280	286	293	299
203	209	215	221	227	233	239	245	251	257	263	269	275	281	287	294	300
204	210	216	222	228	234	240	246	252	258	264	270	276	282	289	295	301

REFERENCE GUIDE TO CONTINUING SERVICES CHAPTER

CHANGES IN AMOUNT OF AID

AID TO NEEDY BLIND, AID TO PARTIALLY SELF-SUPPORTING BLIND

Adjustments in Amount of Grant APSB.....	Sec. 361-15
Changes in Aid, Provisions of Law for.....	360-05
Changes in Amount of Aid, Reasons for.....	360-25
Continued Eligibility Questioned on Basis of Physician's Report of Eye Examination.....	361-40
Decrease in Grant.....	361-10
Discontinuance of Aid.....	361-50
Forms Used in Changes of Aid.....	365-99
Increase in Amount of Aid.....	361-00
Notice of Change, Action by Board of Supervisors.....	361-75
" " " Change in Need or Income, No Change in Grant ANB.....	362-25
" " " General Instructions.....	362-00
" " " Reporting Reason for Change on.....	362-30
" " " Sec. I, Instructions for Recording.....	362-05
" " " Sec. I, Reporting Transfer From ANB to APSB or Vice Versa.....	362-20
" " " Sec. II, Discontinuance of Aid to the Individual Recipient.....	362-45
" " " Sec. III, Material Changes in Economic Circumstances of Discontinued Cases.....	362-46
" " " Sec. IV, Reporting Investigation Preliminary to Restoration.....	361-20
" " " Sec. V, Approval by Board of Supervisors.....	362-50
Notification to County Auditor of Change in Grant.....	361-85
" " " Recipient of Change in Grant.....	361-80
" " " SDSW of Change in Grant.....	361-90
Payment to County for Institutional Care ANB.....	362-48
Retroactive Aid Payments by County.....	361-25
Suspension of Aid, Cancellation of Warrants for Months During Which Recipient Ineligible.....	361-33
Suspension of Aid, Changes in Amount of Grant During.....	361-35
Suspension Procedure.....	361-30
Transfer Procedure From ANB to APSB or Vice Versa.....	351-57

AID TO NEEDY CHILDREN

Adjustment Due to Absence of Child from Home.....	361-12
Changes in Aid, Provisions of Law for.....	360-10
Changes in Amount of Aid, Reason for.....	360-25
Discontinuance of Aid.....	361-50
Forms Used in Changes of Aid.....	365-99
Increase in Amount of Aid.....	361-00
Notice of Change, Action by Board of Supervisors.....	361-75
" " " General Instructions.....	363-00
" " " Sec. I, Recording on Top of Form.....	363-05
" " " Sec. II, Discontinuance of Aid.....	363-10
" " " Sec. III, Material Changes in Economic Circumstances of Discontinued Cases.....	363-12
" " " Sec. IV, Recording Change of School Status.....	363-15
" " " Sec. V, Recording Change of Payee.....	363-20
" " " Sec. VI, Approval by Board of Supervisors.....	363-25
Notification to County Auditor of Change in Grant.....	361-85
" " " Recipient of Change in Grant.....	361-80
" " " SDSW of Change in Grant.....	361-90
Restoration.....	361-20
Retroactive Aid Payments by County.....	361-25
School Status, Change in, Reported on Notice of Change.....	361-60
Suspension of Aid, Cancellation of Warrants for Months During Which Recipient Ineligible.....	361-33
Suspension of Aid, Changes in Amount of Grant During.....	361-35
Suspension Procedure.....	361-30

OLD AGE SECURITY

Changes in Amount of Aid.....	360-00
Changes in Amount of Aid, Reasons for.....	360-25
Decrease in Grant.....	361-10
Discontinuance of Aid.....	361-50
Forms Used in Changes of Aid.....	365-99
Increase in Amount of Aid.....	361-00
Investigation of Conditional Restoration.....	361-22
Notice of Change, Action by Board of Supervisors.....	361-75
" " " Change in Need or Income, No Change in Grant.....	362-25
" " " General Instructions.....	362-00
" " " Reporting Reason for Change on.....	362-30
" " " Sec. I, Instructions for Recording.....	362-05
" " " Sec. II, Discontinuance of Aid to the Individual Recipient.....	362-40
" " " Sec. III, Material Changes in Economic Circumstances of Discontinued Cases.....	362-42
" " " Sec. IV, Reporting Payment to County for Institutional Care.....	362-48
" " " Sec. V, Approval by Board of Supervisors.....	362-50
Notification to County Auditor of Change in Grant.....	361-85

CHANGES IN AMOUNT OF AID—Continued**OLD AGE SECURITY—Continued**

Notification to Recipient of Change in Grant.....	361-80
“ “ SDSW of Change in Grant.....	361-90
Restoration.....	361-20
Retroactive Aid Payments by County.....	361-25
Suspension of Aid, Cancellation of Warrants for Months During Which Recipient Ineligible.....	361-33
Suspension of Aid, Changes in Amount of Grant During.....	361-35
Suspension Procedure.....	361-30

REINVESTIGATION PROCEDURES**AID TO NEEDY BLIND, AID TO PARTIALLY SELF-SUPPORTING BLIND**

Absence from State, Reinvestigation During.....	Sec. 351-80
Affirmation of Eligibility, Completion of.....	351-11
Amount of Aid, Redetermination of.....	351-40
Blindness, Reinvestigation of.....	351-50
Changes in Aid Following Reinvestigation.....	353-20
Date of Reinvestigation.....	351-05
Eligibility Under ANB or APSB Program, Redetermination of.....	351-55
Forms Used in Reinvestigation Procedures.....	353-99
Home Visit During Reinvestigation.....	351-12
Income, Reinvestigation of.....	351-25
Living Arrangements, Reinvestigation of.....	351-35
Notification to SDSW of Completion of Reinvestigations.....	352-25
Other Reinvestigations.....	353-00
Personal Property, Reinvestigation of.....	351-20
Real Property, Reinvestigation of.....	351-15
Recording of Reinvestigation.....	352-20
Reinvestigations in ANB ; APSB.....	350-20
Relatives, Reinvestigation of.....	351-30
Report Required of Recipient Who Leaves State.....	353-05
Requirements of Reinvestigation.....	351-10
Responsibility for Reinvestigation.....	351-00
Transfer of Aid from One County to Another, Reinvestigation During.....	351-90
Transfer Procedure from ANB to APSB, or Vice Versa.....	351-57

AID TO NEEDY CHILDREN

Absence from State, Reinvestigation During.....	351-80
Affirmation of Eligibility, Completion of.....	351-11
Amount of Aid, Redetermination of.....	351-40
Changes in Aid Following Reinvestigation.....	353-20
Classification, Reinvestigation of.....	351-60
Date of Reinvestigation.....	351-05
Forms Used in Reinvestigation Procedures.....	353-99
Home Visit During Reinvestigation.....	351-12
Income, Reinvestigation of.....	351-25
Living Arrangements, Reinvestigation of.....	351-35
Notification to SDSW of Completion of Reinvestigations.....	352-25
Other Reinvestigations.....	353-00
Payee, Parent's Whereabouts and Assistance Plan, Reinvestigation of.....	351-65
Personal Property, Reinvestigation of.....	351-20
Real Property, Reinvestigation of.....	351-15
Recording of Reinvestigation.....	352-10
Reinvestigation in ANC.....	350-15
Relatives, Reinvestigation of.....	351-30
Report Required of Recipient Who Leaves State.....	353-05
Requirements of Reinvestigation.....	351-10
Responsibility for Reinvestigation.....	351-00
School Attendance, Reinvestigation of.....	351-75
Transfer of Aid from One County to Another, Reinvestigation During.....	351-90

OLD AGE SECURITY

Absence from State, Reinvestigation During.....	351-80
Affirmation of Eligibility, Completion of.....	351-11
Amount of Aid, Redetermination of.....	351-40
Changes in Aid Following Reinvestigation.....	353-20
Date of Reinvestigation.....	351-05
Forms Used in Reinvestigation Procedures.....	353-99
Home Visit During Reinvestigation.....	351-12
Income, Reinvestigation of.....	351-25
Living Arrangements, Reinvestigation of.....	351-35
Notification to SDSW of Completion of Reinvestigations.....	352-25
Other Reinvestigations.....	353-00
Personal Property, Reinvestigation of.....	351-20
Real Property, Reinvestigation of.....	351-15
Recording of Reinvestigation.....	352-15
Reinvestigations in OAS.....	350-10
Relatives, Reinvestigation of.....	351-30
Report Required of Recipient Who Leaves State.....	353-05
Requirements of Reinvestigation.....	351-10
Responsibility for Reinvestigation.....	351-00
Transfer of Aid from One County to Another, Reinvestigation During.....	351-90

TRANSFER PROCEDURES

Forms Used in Transfer Procedures.....	ANC	ANB	APSB	OAS	370-99
Medical Care for Regular Recipient During Transfer Period.....	ANC	ANB	APSB	OAS	370-05
Transfer of Aid.....	ANC	ANB	APSB	OAS	370-00

REVISION RECORD

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304	314	324	334	344	354	364	374	384	394	404	414	424	434	444	454
305	315	325	335	345	355	365	375	385	395	405	415	425	435	445	455
306	316	326	336	346	356	366	376	386	396	406	416	426	436	446	456
307	317	327	337	347	357	367	377	387	397	407	417	427	437	447	457
308	318	328	338	348	358	368	378	388	398	408	418	428	438	448	458
309	319	329	339	349	359	369	379	389	399	409	419	429	439	449	459
310	320	330	340	350	360	370	380	390	400	410	420	430	440	450	460
311	321	331	341	351	361	371	381	391	401	411	421	431	441	451	461
312	322	332	342	352	362	372	382	392	402	412	422	432	442	452	462
313	323	333	343	353	363	373	383	393	403	413	423	433	443	453	463

REFERENCE GUIDE TO FINANCIAL PROCEDURES CHAPTER

Provisions of the W. & I. C. Regarding Fiscal Procedures.....ANC ANB APSB OAS Sec. 600-00

ESTIMATES, ADVANCES AND EXPENDITURES

Estimate Forms	ANC	ANB	APSB	OAS	601-99
Quarterly Adjustment of Funds.....	ANC	ANB	APSB	OAS	601-10
Quarterly Estimates of Expenditures for Aid and Administration.....	ANC	ANB	APSB	OAS	601-00
Use of State and Federal Funds.....	ANC	ANB	APSB	OAS	601-20

PAYMENT OF AID

Authorization for Payment.....	ANC	ANB	APSB	OAS	610-30
Beginning Date of Aid—New Applications.....	ANC	ANB	APSB	OAS	611-50
Beginning Date of Aid—Restorations.....	ANC	ANB	APSB	OAS	611-55
Cancellation of Aid Warrants.....	ANC	ANB	APSB	OAS	611-90
Certification of Payment After Release of Inmate from County Institution.....		ANB	APSB	OAS	610-70
Duplication of GR (Also known as IN) and Categorical Aid Payments.....	ANC	ANB	APSB	OAS	610-90
Endorsement of Warrants.....	ANC	ANB	APSB	OAS	611-30
Financial Records for Individual Cases.....	ANC	ANB	APSB	OAS	612-00
Identification on Warrants.....	ANC	ANB	APSB	OAS	610-50
Initial Payments	ANC	ANB	APSB	OAS	611-60
Inmate of Public Institution, Payment to.....	ANC	ANB	APSB	OAS	610-60
Mode of Payment.....	ANC	ANB	APSB	OAS	610-10
Money Payments and Restricted Payments.....	ANC	ANB	APSB	OAS	610-80
Payment of Aid Forms.....		ANB	APSB	OAS	612-99
Payment When Grantee Dies.....		ANB	APSB	OAS	611-00
Payments Made Upon Order of the SSWB.....	ANC	ANB	APSB	OAS	611-80
Payments to Patients on Leave from State Hospitals.....		ANB	APSB	OAS	610-75
Payments When Child Dies.....	ANC				611-10
Payments When Payee Dies.....	ANC	ANB	APSB	OAS	611-20
Recipient of Payment.....	ANC	ANB	APSB	OAS	610-40
Reissuance of Warrants.....	ANC	ANB	APSB	OAS	611-95
Retroactive Initial Payments.....	ANC	ANB	APSB	OAS	611-70
Signature Card File.....	ANC	ANB	APSB	OAS	611-40
Time of Payment.....	ANC	ANB	APSB	OAS	610-20

COUNTY AID CLAIMS

Aid Claim Correction.....	ANC	ANB	APSB	OAS	628-20
Apportionment of Grants on Pay Rolls or Claims.....	ANC	ANB	APSB	OAS	627-20
Chart of Financial Participation in Grants of Aid.....	ANC	ANB	APSB	OAS	627-10
Claim for Non-county or Non-county-Non-Federal Cases.....	ANC	ANB	APSB	OAS	627-15
Claim for Warrants Issued in Lieu of Canceled Warrants.....	ANC	ANB	APSB	OAS	628-06
Claims on Suspended Aid Payments.....	ANC	ANB	APSB	OAS	626-45
Computation of Payments When Child Transfers Between a Private Home and Boarding Home or Institution.....	ANC				627-50
County Aid Claim Forms.....	ANC	ANB	APSB	OAS	629-99
County Designed Aid Claim Forms.....	ANC	ANB	APSB	OAS	626-30
County Institutional Claim Under W&IC, Secs. 2160.7 and 3044.1.....		ANB		OAS	627-25
Definition of Types of Cases With Respect to Financial Participation by Federal, State, or County Government.....	ANC	ANB	APSB	OAS	627-00
Federal Participation.....	ANC	ANB		OAS	627-30
Federal Participation on Children Between Ages of 16 and 18 Years.....	ANC				627-80
Federal Participation When an Additional Child Becomes Eligible for Aid During Month.....	ANC				627-85
Forms Used in Aid Claims.....	ANC	ANB	APSB	OAS	626-20

COUNTY AID CLAIMS—Continued

Identification on Aid Pay Rolls.....	ANC	ANB	APSB	OAS	Sec. 626-60
Method of Claiming for Participation by Federal and State Governments.....	ANC	ANB	APSB	OAS	626-00
Partial Month Claims—Bases for State and Federal Participation.....	ANC	ANB	APSB	OAS	627-45
Partial Month Claims—Computation of Total Amounts.....	ANC	ANB	APSB	OAS	627-40
Payees Eligible Under Social Security Act.....	ANC				628-00
Reporting of Canceled Aid Warrants.....	ANC	ANB	APSB	OAS	628-05
State Audit of Aid Claims.....	ANC	ANB	APSB	OAS	628-10
Submission of Aid Claims.....	ANC	ANB	APSB	OAS	626-40
Supplemental Aid Claims.....	ANC	ANB	APSB	OAS	626-50
Transmittals.....	ANC	ANB	APSB	OAS	628-15
Two or More Family Budget Units in One Household.....	ANC				627-90
Types of Aid Claims.....	ANC	ANB	APSB	OAS	626-10

ADMINISTRATIVE EXPENSE

Abatements from Self-Supporting Activities.....	ANC	ANB		OAS	645-61
Administrative Costs—Boarding Homes and Adoptions.....					645-01
Administrative Expense Forms.....	ANC	ANB		OAS	646-99
Categories Under Which Time Is Recorded (Forms DFA 42 and 43).....					645-81
Computing Less Than Full Monthly Salary.....	ANC	ANB		OAS	645-50
Expenditures for Automotive Purchase and Maintenance and Operation.....	ANC	ANB		OAS	645-66
Expenditures for Commissaries.....					645-26
Expenditures for Construction or Purchase of Buildings.....	ANC	ANB		OAS	645-35
Expenditures for Cost of Memberships in Organizations.....	ANC	ANB		OAS	645-55
Expenditures for CWS.....					645-25
Expenditures for Eye Examinations.....		ANB			645-31
Expenditures for Personal Services.....	ANC	ANB		OAS	645-06
Expenditures for Purposes of Administration.....	ANC	ANB		OAS	645-02
Expenditures for Rent of County Offices.....	ANC	ANB		OAS	645-39
Expenditures for Repairs and Alterations.....	ANC	ANB		OAS	645-37
Expenditures for Services of Other Agencies.....	ANC	ANB		OAS	645-21
Expenditures for Taxes.....	ANC	ANB		OAS	645-51
Expenditures for Warrant Writing Services.....	ANC	ANB		OAS	645-11
Federal Participation in Administrative Costs.....	ANC	ANB		OAS	645-00
Forms Used in Administrative Expense Claims.....	ANC	ANB		OAS	646-80
Reporting of Cost of Administration.....	ANC	ANB		OAS	645-96
Rules for Allocating Administrative Expense.....	ANC	ANB		OAS	645-71
Salaries Paid During Periods of Leave or Other Absence.....	ANC	ANB		OAS	645-45
Time Recording by Employees.....	ANC	ANB		OAS	645-76

INSTITUTIONAL AID CLAIMS

Audit and Payment of Institutional Aid Claims.....	ANC				655-70
Forms Used in Institutional Aid Claims.....					655-10
Identification on Institutional Aid Claims.....	ANC				655-40
Institutional Aid Claim Correction.....	ANC				655-80
Institutional Aid Claim Forms.....	ANC				655-99
Method of Claiming Reimbursement of Aid.....	ANC				655-00
Partial Month Claims.....	ANC				655-50
Submission of Institutional Aid Claims.....	ANC				655-20
Supplemental Institutional Aid Claims.....	ANC				655-30

REPAYMENTS

Additional Reports of Adjustments and Collections.....	ANC	ANB	APSB	OAS	673-75
Adjustments, Classification of.....	ANC	ANB	APSB	OAS	672-00
" Distribution of.....	ANC	ANB	APSB	OAS	672-50
" Reporting of.....	ANC	ANB	APSB	OAS	672-25
Allocation of Repayments to Periods.....	ANC	ANB	APSB	OAS	671-50
Amounts Collectible, County Record of.....	ANC	ANB	APSB	OAS	671-30
Collections, Classification of.....	ANC	ANB	APSB	OAS	673-00
" Distribution of.....	ANC	ANB	APSB	OAS	673-25
" Reporting of.....	ANC	ANB	APSB	OAS	673-50
Discovery of Excess Property or Income Subsequent to Recipient's Death.....				OAS	671-10
Erroneous Repayments, Claims for the Return of.....	ANC	ANB	APSB	OAS	674-05
" " Definition of.....	ANC	ANB	APSB	OAS	674-00
" " Fiscal Reporting of Returns of.....	ANC	ANB	APSB	OAS	674-10
Forms Used in Reporting Repayments.....	ANC	ANB	APSB	OAS	674-99
Overpayments Caused by Income.....	ANC	ANB	APSB	OAS	670-85
" Caused by Other Factors.....	ANC	ANB	APSB	OAS	670-90
" Caused by Possession of Excess Property.....	ANC	ANB	APSB	OAS	670-80
" Investigation of.....	ANC	ANB	APSB	OAS	670-75
Overpayments Resulting From Conditional Restoration in OAS.....				OAS	670-88
Repayment, Demand for.....	ANC	ANB	APSB	OAS	671-25
Source of Repayment.....	ANC	ANB	APSB	OAS	671-20
Tabular Analysis of Provisions of the W. & I. C. Regarding Repayments.....	ANC	ANB	APSB	OAS	670-00

TRANSPORTATION OF NEEDY CHILDREN CLAIMS

Claim Corrections.....	ANC				685-20
State Audit of Transportation of Needy Children Claims.....	ANC				685-10
Transportation of Needy Children Claims.....	ANC				685-00
Transportation of Needy Children Claim Forms.....	ANC				685-99

REVISION RECORD

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	11	21	31	41	51
2	12	22	32	42	52
3	13	23	33	43	53
4	14	24	34	44	54
5	15	25	35	45	55
6	16	26	36	46	56
7	17	27	37	47	57
8	18	28	38	48	58
9	19	29	39	49	59
10	20	30	40	50	60

SOCIAL DATA RECORD CARD—TABLE OF CONTENTS

Purpose, Collection of Social Data Record Cards.....	Sec. 285-00
Submission of Record Cards.....	286-00
Instructions on Record Cards.....	286-05
Race	287-05
Date of Birth.....	287-10
Place of Birth.....	287-15
Citizenship	287-18
Total Years in California.....	287-20
Place Where Last Spent One Year Prior to Coming to California.....	287-25
Was Case Receiving Public Assistance From Another State During the Last 12 Months While Living in California?	287-30
Present Marital Status.....	287-35
Support During 12 Months Immediately Prior to Date of Application, ANB; APSB.....	287-42
Living Arrangements to Be Effective When First Payment Is Received, ANB; APSB.....	287-52
Instruction in Handicraft, Braille, Typing, etc., ANB; APSB.....	287-56
Interest in Training, Employment or Instruction, ANB; APSB.....	287-57
Life Insurance, ANB; APSB.....	287-59
Assessed Value of Real Property, ANB; APSB.....	287-60
Amount of Encumbrances on Real Property, ANB; APSB.....	287-65
Nature of Real Property, ANB; APSB.....	287-70
Personal Property, ANB; APSB.....	287-75
Citizenship, ANB; APSB; ANC.....	287-85
Other Public or Private Assistance Approved in Household of Applicant, ANB; APSB.....	287-90
Living Arrangement of Child, ANC.....	288-25
Reason for Deprivation of Parental Support, ANC.....	288-30
Date of Occurrence, ANC.....	288-35
Source of Income Received by Members of Family Budget Unit (Or by Child in "Board and Care" Cases) Concurrently With Receipt of ANC.....	288-40
Public or Private Assistance to Be Received by Members of Household Not Included in Family Budget Unit, ANC.....	288-45
Total Persons in Family Budget Unit, ANC.....	288-50
Sources of Support of Needy Children During Past 12 Months, ANC.....	288-55
Forms Used in Social Data Record Card.....	289-99

Certified as a Regulation (or as
Regulations) of the

Dept of Soc. Wel.
(Name of State Agency)

Charles M. Wollebey
(Signature) 23m. Litchie

Director
(Title)

12/6/47
(Date)

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR

Sacramento 14
November 28, 1947

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BERKELEY

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of the following
regulations issued by the State Department of Social
Welfare.

ADOPTION MANUAL LETTER NO. 7

These regulations were adopted by the Social
Welfare Board pursuant to the powers conferred upon
it under section 103 of the W&I Code and are filed
under section 11381 of the Government Code.

Very sincerely yours,

Charles M. Wollenberg
CHARLES M. WOLLENBERG, Director
Department of Social Welfare

RECEIVED
SACRAMENTO, CALIF.

1947 DEC 3 PM 1 27

206
Attendant
FRANK M. JORDAN
SECRETARY OF STATE
STATE OF CALIFORNIA

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14

December 2, 1947

124

ADOPTION MANUAL LETTER NO. 7

The attached sections 2075-00, 2080-00, 2085-00, and 2090-00 are being issued and are to be entered in your Adoption Manual. Since these are new sections, there are no revision numbers to be canceled. These sections were approved by the State Social Welfare Board November 21, 1947.

A new Appendix to the Adoption Manual is being issued herewith. All material formerly contained in the Appendix should be removed.

FILED

in the office of the Secretary of State
of the State of California

DEC 3- 1947

At 1:30 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By

Robert V. Jordan
Assistant Secretary of State

2085-00 INHERITANCE FOLLOWING ADOPTION

2085-00

1. An adopted child succeeds to the estate of one who has adopted him, the same as a natural child. (Sec. 257, Probate Code)
2. An adopted child does not succeed to the state of a natural parent when the relationship between them has been severed by the adoption, nor does the natural parent succeed to the estate of such adopted child. (Sec. 257, Probate Code)
3. The person adopting succeeds to the estate of an adopted child, the same as a natural parent. (Sec. 257, Probate Code)
4. An adopted child does not succeed to the estate of his natural parents (Sec. 229, Civil Code), but does inherit from his natural grandparents. (Estate of Darling 176, Cal 221; 159, p. 606)

2090-00 BIRTH CERTIFICATE FOLLOWING ADOPTION

2090-00

1. For child born in California

For a child born in California whose birth was properly registered within one year after the date of birth, a corrected birth certificate can be issued after adoption, upon completion of the Certificate of Adoption, which is filed with the county clerk in the county where the petition was filed. (Secs. 10250 - 10254, Health and Safety Code) The corrected certificate will bear the name of the child as shown in the adoption decree and the name of the adopting parents as the natural parents, but no reference will be made to the adoption of the child.

2. The child born outside California

A number of other states have similar laws regarding birth registration following adoption. Others, without such enabling legislation, will as a general rule issue a corrected certificate in the new name of the child if a letter explaining the California Law and requesting the new certificate is sent to them.

3. For child whose birth has not been registered

If there is no original record of birth on file, the certificate of the decree of adoption shall constitute a record of delayed birth registration, provided that the decree of adoption contains a statement of the date and place of birth. (Sec. 10251.5, Health and Safety Code)

2075-00 NEW LEGAL RELATIONSHIPS FOLLOWING ADOPTION

2075-00

1. A child, when adopted, may take the family name of the person adopting. After adoption, the two shall sustain towards each other the legal relation of parent and child, and have all the rights and be subject to all the duties of that relation. (Sec. 228, Civil Code)
2. The parents of an adopted child are, from the time of the adoption, relieved of all parental duties towards, and all responsibility for, the child so adopted, and have no right over it. (Sec. 229, Civil Code)

2080-00 CITIZENSHIP FOLLOWING ADOPTION

2080-00

1. The citizenship of the child remains the same after adoption as before.
2. The 1940 Nationality Act, Section 316, 8 U.S. Code, 716, makes provisions for naturalization of an alien child adopted by U. S. citizens under certain specific conditions:
 - a. "Sec. 316. An adopted child may, if not otherwise disqualified from becoming a citizen, be naturalized before reaching the age of eighteen years upon the petition of the adoptive parent or parents if the child has resided continuously in the United States for at least two years immediately preceding the date of filing such petition, upon compliance with all the applicable procedural provisions of the naturalization laws, if the adoptive parent or parents are citizens of the United States, and the child was:
 - (1) Lawfully admitted to the United States for Permanent residence; and
 - (2) Adopted in the United States before reaching the age of sixteen years; and
 - (3). Adopted and in the legal custody of the adoptive parent or parents for at least two years prior to the filing of the petition for the child's naturalization."

TABLE OF CONTENTS

- 1 Behavior Characteristic of Certain Age Levels in Infancy
- 2 Free Legal Service
- 3 Licensed Placement Agencies in California
- 4 Licensing Authority of SDSW - W&I Code
- 5 Infant Dismissals - A. Regulations of State Department of Health
B. Procedures of SDSW
- 6 Birth Records - Provisions of Health and Safety Code
- 7 Kidnapping, Child Stealing, etc. - Provisions of Penal Code
- 8 Legitimacy and Parent-Child Responsibility - Provisions of Civil Code
- 9 Validity of Subsequent Marriage
- 10 Declaration of Unrecorded Marriage
- 11 Marriage Without License
- 12 Entry of Divorce Decree Nunc Pro Tunc
- 13 Proof and Acknowledgment of Instruments - Provisions Civil Code
- 14 Notarial Powers of Postmaster in Alaska - Provisions of Postal Code
- 15 Oaths and Affirmations - Provisions of Civil Code
- 16 Action to Set Aside Court Order
- 17 Action to Have Child Declared Free From Custody and Control of Parents -
W&I Code
- 18 Action to Have Child Declared Ward of Juvenile Court - W&I Code
- 19 Adoption of Indians - Federal Legislation
- 20 Outline for Petition for Adoption and Agreement of Adoption
- 21 Outline for Order of Adoption
- 22 Bibliography on Adoption
- 23 Index to Attorney General's Opinions - Adoptions
- 24 Index of Forms

1 (Continued)

1

Six Months:

Holds head erect without wobbling
Sits alone with slight support from pillows
Rolls from stomach to back and back to stomach
Gets toes in mouth
Held under arms, makes stepping movements
In prone position, rests on hands, lower chest, abdomen, and thighs
Some opposition of thumb to fingers in picking up object
Wrist rotation
Can voluntarily release some objects
Can change object from one hand to the other
Plays with doll or animal toy
Waves rattle and puts it in his mouth
Bangs spoon on table repeatedly or pats table
Can see small objects (see Nine Months)
Turns head toward source of sound
Makes some consonant-vowel combinations
Uses vocalization to denote pleasure or displeasure
Increased activity at sight of own mirror image
Recognizes travel preparation
Discriminates between familiar and strange faces
Enjoys "This little pig went to market"

Nine Months:

Can get from prone to sitting position
Stands, holding onto the furniture; about a month or so later can pull himself up to standing position
Creeps or gets about actively in some fashion (may creep backward)
Held supported under arms, tends to bend forward at hip joints
Much mouthing activity
Picks up small objects
Thumb-finger opposition sufficient to pick up pellet with scissors-like movement
Interest in throwing
Fumbles or turns pages of magazine
Shows some enjoyment of bright pictures
Utters syllables
Imitate sounds
Recognizes own name and may have done so for a month or two
Knows when conversation concerns him
Responds to "no, no"
Displays some jealousy
May show fear of strangers
Reacts socially to own mirror image
Interest in peek-a-boo or pat-a-cake
Waves bye-bye
Responds to "How big is baby?"

(Section Continued on Next Page)

1 BEHAVIOR CHARACTERISTIC OF CERTAIN AGE LEVELS IN INFANCY

1

From Florence M. Teagarden, CHILD
PSYCHOLOGY FOR PROFESSIONAL WORKERS,
Revised Edition. Copyright, 1940,
1946, by Prentice-Hall, Inc., by
permission.

One Month:

Facial expression somewhat vacant

Stares

In supine position, head to side most of time (see Four Months)

In prone position often assumes "Mohammedan prayer" posture

Tonic-neck reflex (see Four Months)

In prone position, head may be lifted somewhat (see Four, Six Months)

Held supported under arms, does not extend legs (see Four, Six Months)

Some adjustment of back and body when held to adult shoulder

Reflex clasping with fingers (see Six Months)

Hands closed most of the time, although hand nearest face may open (see Four Months)

Follows moving light with eyes, briefly

Differential cries for hunger, pain, and anger (see Four, Six Months)

Four Months:

In supine position, holds head in mid-position

Holds head erect without support (see Six Months)

Tonic-neck reflex passing away

Rolls side to back, back to side (see Six Months)

Sits on lap or on floor with some support

Held supported under arms, extends leg recurrently (see Six Months)

Makes anticipatory adjustment to being lifted

Hands predominantly open

Hand-mouth activity prominent (see Twelve Months)

Plays with fingers and hands

Reaches for and grasps objects

Plays with rattle

Splashes with hands in bath

Follows disappearing object with eyes, looks for fallen objects

Turns head at sound of voice or bell (see Six Months)

Attends to sounds and to music

Recognizes mother

Smiles socially

Laughs aloud

Bubbles, coos, chuckles, gurgles (see Six Months)

Makes most of the vowel sounds and some of the consonant sounds

(Section Continued on Next Page)

2 FREE LEGAL SERVICE

2

Free legal service is sometimes available through legal aid societies, a public defender, city or county attorney, or other attorney referred through the Bar Association or designated by the court, in instances where an adoption seems socially desirable but the petitioners do not have sufficient funds to pay a private attorney.

In Los Angeles

Legal Aid Foundation of Los Angeles, 106 West 3rd Street, Los Angeles 13, phone MUTual 9126; office hours 9 to 5 daily; 9 to noon Saturday. Clients should call between 1 p.m. and 3 p.m. Gives legal aid services to persons who are financially unable to retain private counsel for protection of their legal rights.

Legal Aid Committee of Long Beach Bar Assn., 300 Jergins Trust Bldg., 100 E. Ocean Blvd., Long Beach 2, phone L.B. 614-92; office hours 9 to 5 daily; Saturday 9 to noon.

Voluntary service by attorneys to persons without sufficient funds to retain private legal counsel.

In Sacramento:

Legal Aid Clinic, 4th Floor Elks' Building, 11th and J Streets, phone 3-7985; office hours 8:30 to 5:00 daily, Saturdays 8:30 to noon.

Attorneys appointed by Sacramento Bar Assn. give legal aid to indigent persons. Applicant must be referred by recognized social agency.

In San Francisco:

Legal Aid Society of Alameda County, 408 12th St., Oakland 7, phone GLencourt 9261. Advice given on legal problems; court cases handled upon recommendation. Services available to all parties unable to employ private counsel.

Legal Aid Society of San Francisco, 1160 Phelan Bldg., San Francisco 2, phone GARfield 7337. Free legal advice to persons unable to pay for service of private attorney.

1 (Continued)

Twelve Months:

Walks a few steps, at least with a little help
Climps up and down stairs
Can sit down from standing position, at least by using support
No longer indulges in much hand-mouth or other mouthing activity
Holds own cup to drink from
Picks up pellet with overhand pincer-like movement and may carry pellet to mouth
Shows preference for use of right or left hand
Can make scribbling marks with a crayon
Imitates actions of others occasionally
Can make funny faces
Inhibits simple familiar action on command
Cooperates in dressing, more particularly in undressing
Says two or more words
Knows his own name

Eighteen Months:

Walking requires little attention
Can carry object while walking
Can pull wheeled toy
Can walk up stairs with help (see Two Years)
Comes down stairs backward in creeping position or sits down and bumps himself forward from one step to the next (see Two Years)
Can jig or dance
Turns pages of a book, several pages together
Shows interest in color
Points to such pictures as dog, car, clock
Can name a few objects in pictures
Scribbles spontaneously
Can build a tower of three or more one-inch cubes (see Two Years)
Can use spoon and cup well
Can take off own shoes and stockings with help
Holds glass with both hands
Points to nose, eyes, hair, et cetera

Two Years:

Runs
Can walk up and kick a ball
Can walk up and down stairs alone even if he does use both feet to a step
Turns pages of book singly
Has a vocabulary of 200-300 words; maybe as many as 1,000
Combines words into short sentences
Uses some pronouns
Recounts his experiences to others
Vocalizes toilet needs; asks for food or drink
Names common objects in pictures
Obeys simple commands
Identifies self in mirror
Imitates actions of other children at play
Can build a tower of six or more blocks

4 LICENSING AUTHORITY OF S.D.S.W.

4

Welfare and Institutions Code, Sections 1620-1630

Sec. 1620. No person, association, or corporation shall, without first having obtained a written license or permit therefor from the State Department of Social Welfare or from an inspection service approved or accredited by the Department:

- a. Maintain or conduct any institution, boarding home, day nursery, school other than a school conducted by an established religious organization, or other place for the reception, or care, or education of children under sixteen years of age, nor engage in the business or receiving or caring for such children, nor receive nor care for any such child in the absence of its parents or guardian, either with or without compensation.
- b. Engage in the finding of homes for children under sixteen years of age, or place any such child in any home or other place, either for temporary or permanent care or for adoption.

Sec. 1621. The State Department of Social Welfare shall make such rules and regulations as it deems best for the government of any institution or for the performance of any service specified in Sec. 1620 of this Code and the Department may, by a member, or any duly authorized representative, inspect and examine any such institution, home, or place, or the performance of any such service.

Sec. 1622. The State Department of Social Welfare may delegate such of its authority as it deems best to an approved and accredited inspection service. This service shall be either the health department of a county or other political subdivision which maintains at least one regularly licensed physician, or a qualified social service department, either of which has been approved in writing by the State department.

Sec. 1623. A permit or license issued by the State Department of Social Welfare or by an approved and accredited inspection service shall expire twelve months from its date of issuance.

Sec. 1624. Application for renewal of a permit or license shall be filed ten days prior to its expiration each year. If the application is not so filed, the license or permit is automatically canceled.

(Section Continued on Next Page)

3 LICENSED PLACEMENT AGENCIES IN CALIFORNIA

3

The following agencies have been licensed by the State Department of Social Welfare to place children for adoption:

A. The Children's Home Society of California

Headquarters: Los Angeles - Telephone ROchester 1141
3100 West Adams Boulevard

Branch Offices: San Diego - Telephone Main 8565
645 A Street

Oakland - Telephone TRinidad 3347
3995 66th Avenue

San Francisco - Telephone SUTter 6560
995 Market Street

B. The Native Sons and Native Daughters, Central Committee on Homeless Children

Headquarters: San Francisco, 8, Telephone MArket 4178, 1095 Market Street

Branch Office: Los Angeles - Telephone OLympia 4105
3924 Sunset Boulevard

5 INFANT DISMISSAL

5

A. Regulations of State Department of Health

The State Department of Public Health has the following regulation which applies to maternity homes and hospitals:

"Maternity hospitals shall report on the usual report forms to the State Department of Social Welfare within twenty-four hours the name and address of any person, other than a parent or relative by blood or marriage, or the name and address of the organization or institution, into whose custody, a child is given on discharge from the licensed premises."

B. Procedure of SDSW on Infant Dismissal Reports

Dismissal forms may be obtained from the State Department of Social Welfare. They should be completed in duplicate, one copy to be retained for the hospital files, and one to be submitted to the State Department of Social Welfare. (See Form Ad 22)

The State Department of Social Welfare will hold these reports (Form Ad 22) for forty days, and, if a petition for adoption has not been filed in that time by the foster parents, will write them asking whether they expect to adopt the child, informing them of the necessity for a boarding home license if they do not, and giving them the name of the accredited or inspection agency. If, at the end of ninety days no reply has been received from the foster parents, and no petition for adoption has been filed, the State Department of Social Welfare will refer the home to the accredited or inspection agency for boarding home licensing action.

4 (Continued)

4

Sec. 1625. Permits or licenses may be revoked for cause after a hearing before the State Department of Social Welfare or an approved and accredited inspection service. Written notice of the time and place of such hearing and of the charges made against the holder of the permit or license shall be duly served on him not less than ten days prior to the time fixed for such hearing.

Sec. 1626. No license shall be transferred. Neither the location of any institution, boarding home, or other place specified in Sec. 1620 of this Code nor the place of performance of any service specified therein shall be changed without the written consent of the State Department of Social Welfare, or of an approved or accredited inspection service.

Sec. 1627. Every holder of a permit or license shall maintain a register setting forth the following facts concerning each child under the age of sixteen years received or cared for, or placed in any home by such license holder:

- a. Name
- b. Last previous address
- c. Age
- d. Nearest of kin
- e. Mother's maiden name
- f. Person responsible for his care and maintenance
- g. Such other data as the State Department of Social Welfare requires

Sec. 1628. Upon the occurrence of any deaths of children or changes in the administrative personnel of any such home, the holder of the license or permit shall, within forty-eight hours, give written notice thereof to the State Department of Social Welfare or to the approved and accredited inspection service by which such license or permit was issued.

Sec. 1629. Any person, association, or corporation that maintains, conducts, or, as manager or officer or in any other administrative capacity, assists in maintaining or conducting any institution, boarding home, or other place or the performance of any service specified in Sec. 1620 of this Code without first having secured a license or permit therefor in writing, or refuses to permit or interferes with the inspection authorized in Sec. 1621 of this Code, is guilty of a misdemeanor.

Sec. 1630. The district attorney of every county shall, upon application by the State Department of Social Welfare or its authorized representatives, or by an approved and accredited inspection service, institute and conduct the prosecution of any actions brought for the violation within his county of any of the provisions of this chapter.

6 A. (Continued)

6

7. Legitimated children:

Whenever a child becomes legitimate by the subsequent marriage of its parents an affidavit of that fact may be filed by his parents with the State registrar upon a form provided for that purpose. (Sec. 10275, Health and Safety Code) Secs. 10275 through 10279, Health and Safety Code, provide for the procedure to be followed under the above section.

B. Proceedings to establish record of birth, death, or marriage

1. If any birth, death, or marriage, occurring in this State: (Sec. 10600, Health and Safety Code)

(a) Was not at the time it occurred required by law to be registered; or

(b) Was not registered in conformity with the provisions of law in effect at the time it occurred by the filing of the proper certificate with the local registrar within a period of one year from the date of the event or if such record has been filed but thereafter lost or destroyed, any person beneficially interested in establishing of record the fact of and the time and place of, such birth, death, or marriage may file with the county clerk a verified petition for an order judicially establishing the fact of, and the time and place of the birth, death, or marriage in either of the following courts:

(1) The superior court of the county in which the birth, death, or marriage is alleged to have occurred.

(2) The superior court of the county in which the person whose birth or marriage it is sought to establish is residing.

2. Out-of-state record:

If a person, domiciled in this State, was born or married outside of the State, or, if any person domiciled in this State at the time of his death, died outside of the State, and the birth, death, or marriage was not registered in the state or county in which it occurred, or a certified copy of the record of the birth, death, or marriage is not obtainable, any person beneficially interested in establishing of record the fact of the birth, death, or marriage, may petition the Superior Court of the county in which the person, if a living person, resides, or if the person has died, in the county in which he was domiciled at the date of his death, for an order judicially establishing the fact of the birth, death, or marriage. (Sec. 10600.5, Health and Safety Code)

(Section Continued on Next Page)

6 BIRTH RECORDS - PROVISIONS OF HEALTH AND SAFETY CODE

6

A. Birth Registration

1. The birth of each child born in this State shall be registered pursuant to this chapter. (Sec. 10150, Health and Safety Code)
2. Duty of registering birth, provisions listed in Secs. 10175 through 10182, Health and Safety Code.
3. Content of Certificates of birth is provided for in Sec. 10200 and general provisions in Secs. 10001, 10201, 10150, Health and Safety Code.
4. Registration of stillborn children. (Secs. 10325 through 10330, Health and Safety Code)
5. Unnamed children:

When any certificate of birth of a living child is presented without the statement of the given name, the local registrar shall make out and deliver to the parents of the child a special blank for a supplemental report of the given name of the child, which shall be filled out and returned to the local registrar as soon as the child is named. (Sec. 10225, Health and Safety Code)

6. Unknown children:

- (a) The finding of an unknown child less than one year of age shall be immediately reported to the local registrar. (Sec. 10300, Health and Safety Code)
- (b) The report shall show the sex and color of the child, the date and place of finding the child, and the name of the person or institution with whom it is placed. (Sec. 10301, Health and Safety Code)
- (c) The city, town, or rural district in which the child is found shall be known as the legal place of birth, and the date of birth shall be determined as nearly as possible, shall be given in the certificate, and shall be known as the legal date of birth. (Sec. 10302, Health and Safety Code)
- (d) The person or institution with whom the child is placed shall give the child a name and shall report the name to the local registrar. (Sec. 10303, Health and Safety Code)
- (e) The certificate of finding shall be forwarded to the State registrar with the regular monthly report of births, and shall be filed and indexed by him with the regular birth certificates. (Sec. 10304, Health and Safety Code)
- (f) If the child is later identified and a certificate of birth found or obtained, the fact shall be reported to the State registrar and he shall endorse it upon the certificate of finding with citation to the certificate of birth. (Sec. 10305, Health and Safety Code)

(Section Continued on Next Page)

6 (Continued)

6

C. Registration of previously unregistered births

1. Who may apply:

- (a) Any beneficially interested person born in this State, whose birth (a) was not required by law to be registered at the time it occurred, or (b) was not registered in conformity with the law at the time it occurred, or if the record was filed but was thereafter lost or destroyed, may file an application for the original registration of such birth with the State Registrar or local registrar of the district in which the birth occurred. The application and the affidavits mentioned in Sec. 10616 shall be on forms prescribed and furnished by the State Registrar and shall contain such information as may be necessary to enable the State Registrar to determine whether such birth did in fact occur and shall show the place and the date of such birth. The application shall be filed in duplicate. The State Registrar shall immediately mail the duplicate application to the district attorney of the county in which the birth is alleged to have occurred.

The provisions of this chapter are not exclusive of the provisions of Chapters 7 and 8 of this division but offer an alternative method of securing records of birth.

Affidavits or documents of aliens ineligible for citizenship shall not be accepted.

Birth certificates issued pursuant to this chapter shall not be considered as evidence in any action or proceeding to establish heirship unless the affidavit of at least one person who knew the facts was filed at the time of obtaining the certificate. (Sec. 10615, Health and Safety Code)

2. The application shall be accompanied by:

- (a) An affidavit of the physician, midwife, or other person who attended the birth.
- (b) If the affidavit of the persons named in (1) can not for any reason be secured, the affidavits of both natural parents of the person whose birth it is desired to register, if both are living and available and the person is under the age of 21 years. If one parent is dead or is not available, or if the person is over 21 years of age, the affidavit of any other person who knows the facts may be accepted in lieu of the affidavit of one parent.
- (c) If neither parent is living or available, the affidavit of two other persons, either relatives or non-relatives, who have actual knowledge of the facts, and who at the time of birth were of sufficient age to have a recollection thereof.

(Section Continued on Next Page)

3. Contents:

The petition shall be verified and shall contain all the facts necessary to enable the court to determine the fact of and the time and place of the birth, death, or marriage upon the proofs adduced in behalf of the petitioner at the hearing. (Sec. 10601, Health and Safety Code)

4. Service:

At least five days before the date of the hearing, a copy of the petition shall be served upon the district attorney of the county in which the petition is filed, together with a notice of the time and place of hearing and he may appear at the hearing and oppose the making of the order. (Sec. 10602, Health and Safety Code)

5. Hearing:

Upon the filing of the petition a hearing shall be fixed by the clerk at the convenience of the court set at a time not less than five nor more than ten days after the filing of the petition. The hearing may be held in chambers. The court, for good cause, may continue the hearing beyond the ten-day period. (Sec. 10603, Health and Safety Code)

6. Filing fee:

The fee for filing the petition shall be \$3.00, one dollar of which shall go to the law library fund of the county. (Sec. 10604, Health and Safety Code)

7. Order:

If, upon the hearing, the allegations of the petition are established to the satisfaction of the court, the court may make an order determining that the birth, death, or marriage did, in fact, occur at the time and place shown by the proofs adduced at the hearing. (Sec. 10605, Health and Safety Code)

8. Form of order:

The order shall be made in the form and upon the blank prescribed and furnished by the State registrar. (Sec. 10606, Health and Safety Code)

9. Filing of copy:

The order shall become effective upon a filing of a certified copy (a) with the local registrar of vital statistics of the district in which the birth or death occurred, if it occurred in this State, or in the case of marriage with the county recorder. If the event occurred outside the State, the order shall be filed with the registrar of the district or the county recorder of the county, as the case may be, in which the petitioner resides, and (b) with the State Registrar of Vital Statistics. (Sec. 10607, Health and Safety Code)

(Section Continued on Next Page)

D. Adopted children - birth certificate

1. Certificate of adoption decree:

Whenever a decree of adoption has been entered in any court in the State declaring a child legally adopted a certificate of the decree shall be recorded by the clerk of the court with the State Registrar upon a form provided for that purpose. (Sec. 10250, Health and Safety Code)

2. Form of certificate:

The form "Certificate of Adoption" available through the State Department of Public Health, Bureau of Vital Statistics, should be filled out by the attorney presenting the case and filed with the county clerk who completes Item 8 on the form. The Certificate of Adoption should then be transmitted to Sacramento on or before the fifth day of the month by the county clerk. New certificates of birth bearing the name of the foster parents will be made on request and payment of \$1.00 fee.

3. Filing:

The certificate shall be filed with the original record of birth, which shall remain as part of the records of the Bureau of Vital Statistics. (Sec. 10251, Health and Safety Code)

4. Decree of Adoption constitutes record of delayed registration:

If there is no original record of birth on file, the certificate of the decree of adoption shall constitute a record of delayed birth registration, provided that the decree of adoption contains a statement of the date and place of birth. (Sec. 10251.5, Health and Safety Code)

5. Issuance of certificate:

Upon receipt by the State Registrar of a certificate of the decree of adoption, a certificate of birth shall be issued bearing the name of the child as shown in the decree of adoption, the names of his foster parents, the age of the foster parents, the sex, date of birth, and place of birth, but no reference in any birth certificate shall be made to the adoption of the child. (Sec. 10252, Health and Safety Code)

6. Prior certificate:

This birth certificate shall supplant any birth certificate previously issued for the child and shall be the only birth certificate open to public inspection. In form and contents, it shall be identical with a birth certificate issued to natural parents for the birth of a child. (Sec. 10253, Health and Safety Code)

(Section Continued on Next Page)

- (d) Affidavits filed in accordance with provisions (1), (2), and (3) shall be accompanied by at least one piece of documentary evidence showing place and date of birth as outlined in provision noted below; provided, however, that if a child has not reached its fifth birthday, the affidavit by the attendant or one parent is sufficient.
- (e) If none of the affidavits mentioned in (1), (2), or (3) can be secured, at least two documents, in which the facts showing the date and place of birth were recorded more than five years before the date of application. Original or certified copies of hospital records, baptismal certificates or other church records, school records, census records, insurance policies, or statements in applications for insurance, Army, Navy, or Marine discharges, naturalization certificates of foreign-born parents showing registrant's name and age, voting registration records, family Bible records, birth certificates of registrant's child, marriage certificates, newspaper notices of birth, if sufficiently complete to establish birth, shall be accepted. If the above-mentioned documents are not available, or are incomplete, the registrar may accept other documents which establish the facts.
- (f) All affidavits filed pursuant to this section shall contain a statement showing the basis of the affiant's knowledge of the facts sworn to pertaining to the date and place of birth. Upon the filing of any such application with a local registrar he shall immediately transmit it to the State Registrar, together with the filing fee hereafter in Sec. 10618 of this Code. (Sec. 10616, Health and Safety Code)

3. Issuance of delayed Certificate of Birth:

The State Registrar after the expiration of ten days from receipt by him of acknowledgment of receipt of the duplicate application by the district attorney, shall review the application and the affidavits and documentary evidence accompanying it and if the evidence submitted complied with provisions of Secs. 10615 and 10616 (Health and Safety Code), he shall issue and file a delayed certificate of such birth. He shall prepare either duplicate or originals or certified copies of the certificate and transmit a copy to the local registrar of the district and the county recorder of the county in which such birth occurred, who shall index it as a record of "Delayed Certificates of Birth," except that if the birth occurred in a city and county he shall transmit a copy of the delayed certificate to the local registrar only. He shall also transmit either a duplicate original or certified copy of the certificate to the applicant without cost. (Sec. 10617, Health and Safety Code)

4. Filing fee:

A fee of four dollars (\$4) shall be paid at the time of filing to the State Registrar or local registrar for each application filed. (Sec. 10618, Health and Safety Code)

(Section Continued on Next Page)

7 KIDNAPING, CHILD STEALING, ETC. - PROVISIONS OF PENAL CODE

7

A. Fraudulent pretenses relative to birth of infant

Every person who fraudulently produces an infant, falsely pretending it to have been born of any parent whose child would be entitled to inherit any real estate or to receive a share of any personal estate, with intent to intercept the inheritance of any such real estate, or the distribution of any such personal estate, from any person lawfully entitled thereto, is punishable by imprisonment in the state prison not exceeding ten years. (Sec. 156, Penal Code)

B. Substituting one child for another

Every person to whom an infant has been confided for nursing, education, or any other purpose who, with intent to deceive any parent or guardian of such child, substitutes or produces to such parent or guardian another child in the place of the one so confided, is punishable by imprisonment in the state prison not exceeding seven years. (Sec. 157, Penal Code)

C. Infringement of personal liberty or attempt to assume ownership of persons - penalty

Every person who holds, or attempts to hold, any person in involuntary servitude, or assumes or attempts to assume, rights of ownership over any person, or who sells or attempts to sell, any person to another, or received money or anything of value, in consideration of placing any person in the custody, or under the power or control of another, or who buys, or attempts to buy, any person, or pays money, or delivers anything of value, to another, in consideration of having any person placed in his custody, or under his power of control, or who knowingly aids or assists in any manner anyone thus offending, is punishable by imprisonment in the state prison not less than one nor more than ten years. (Sec. 181, Penal Code)

D. Kidnaping defined

Every person who forcibly steals, takes, or arrests any person in this state, and carries him into another country, state, or county, or into another part of the same county, or who forcibly takes or arrests any person, with a design to take him out of this state, without having established a claim, according to the laws of the United States, or of this state, or who hires, persuades, entices, decoys, or seduces by false promises, misrepresentations, or the like, any person to go out of this state, or to be taken or removed therefrom, for the purpose and with the intent to sell such person into slavery or involuntary servitude, or otherwise to employ him for his own use, or to the use of another, without the free will and consent of such persuaded person; and every person who, being out of this state, abducts or takes by force or fraud any person contrary to the law of the place where such act is committed, and brings, sends, or conveys such person within the limits of this state, and is afterwards found within the limits thereof, is guilty of kidnaping. (Sec. 207, Penal Code)

(Section Continued on Next Page)

7. Sealing of Original Birth Record

When a new birth certificate is issued in place of the original birth certificate of an adopted child, the State Registrar shall inform the local registrar and the county recorder whose records contain copies of the original certificate, and the local registrar and county recorder shall forward such copies to the State Registrar for filing with the original certificate, if it is practical for the local registrar or county recorder to do so. If it is impractical for the local registrar or county recorder to forward the copy to the State Registrar, the local registrar or county recorder shall effectually seal a cover over such copy in such a manner as not to deface or destroy such copy and forward a verified statement of his action to the State Registrar. Thereafter the information contained in such copy shall be only available to any person as provided in Section 10254. (Sec. 10253.5, Health and Safety Code)

8. Availability of Records:

All records and information specified in this article, other than the birth certificate, shall be available upon the order of a court of record. (Sec. 10254, Health and Safety Code)

9. Proceedings in other states:

A new certificate of birth may be issued by the State Registrar in accordance with this article in the case of a child born in the State, but adopted by a legal proceeding in another state, in the District of Columbia, or in any territory of the United States which has jurisdiction of the child, upon the filing with the State Registrar of a copy of the decree or judgment of adoption certified by the judge who entered it or the person having legal custodianship of the records in the proceeding. When any such certificate is issued, it shall be treated in all respects the same as, and governed by all the provisions of this article pertaining to, a certificate issued in the case of a child adopted in this State. (Sec. 10253.7, Health and Safety Code)

A. Children by birth

1. Legitimacy of children born in wedlock.

All children born in wedlock are presumed to be legitimate. (Sec. 193, Civil Code)

2. When a child becomes legitimate.

A child born before wedlock becomes legitimate by the subsequent marriage of its parents. (Sec. 215, Civil Code)

3. Who may dispute legitimacy of a child.

The presumption of legitimacy can be disputed only by the husband or wife, or the descendant of one or both of them. Illegitimacy, in such case, may be proved like any other fact. (Sec. 195, Civil Code)

4. Children after dissolution of marriage.

All children of a woman who has been married, born within ten months after the dissolution of the marriage, are presumed to be legitimate children of that marriage. (Sec. 194, Civil Code) Dissolution of a marriage is not complete until the final decree. (AGO 1-NS4527)

A judgment of nullity of marriage does not affect the legitimacy of children conceived or born before the judgment. (Sec. 84, Civil Code)

The issue of a marriage which is void or annulled or dissolved by divorce is legitimate. (Sec. 85, Civil Code)

5. Custody of minors.

The father and mother of a legitimate unmarried minor child are equally entitled to its custody, services, and earnings. If either the father or mother is dead or is unable or refuses to take the custody, or has abandoned his or her family, the other is entitled to its custody, services, and earnings. (Sec. 197, Civil Code)

6. Custody of illegitimate child.

The mother of an illegitimate unmarried minor is entitled to its custody, services, and earnings. (Sec. 200, Civil Code)

(Section Continued on Next Page)

E. Child stealing, definition and punishment

Every person who maliciously, forcibly, or fraudulently takes or entices away a minor child with intent to detain and conceal such child from its parent, guardian, or other person having the lawful charge of such child, is punishable by imprisonment in the state prison not exceeding twenty years. (Sec. 278, Penal Code)

9. VALIDITY OF SUBSEQUENT MARRIAGE

9

Subsequent marriages void: Exceptions: Interval following divorce: Marriage valid until annulled where former spouse absent. A subsequent marriage contracted by any person during the life of a former husband or wife of such person, with any person other than such former husband or wife, is illegal and void from the beginning, unless:

- A. The former marriage has been annulled or dissolved. In no case can a marriage of either of the parties during the life of the other be valid in this State, if contracted within one year after the entry of an interlocutory decree in a proceeding for divorce.
- B. Unless such former husband or wife is absent, and not known to such person to be living for the space of five successive years immediately preceding such subsequent marriage, or is generally reputed or believed by such person to be dead at the time such subsequent marriage was contracted. In either of which cases the subsequent marriage is valid until its nullity is adjudged by a competent tribunal. (Sec. 61, Civil Code)

7. Reciprocal duties of parents and children in maintaining each other.

It is the duty of the father, the mother, and the children of any poor person who is unable to maintain himself by work, to maintain such person to the extent of their ability. The promise of an adult child to pay for necessities previously furnished to such parent is binding. (Sec. 206, Civil Code)

8. When a parent is not liable for support furnished his child.

A parent is not bound to compensate the other parent, or a relative, for the voluntary support of his child, without an agreement for compensation nor to compensate a stranger for the support of a child who has abandoned the parent without just cause. (Sec. 208, Civil Code)

11 MARRIAGE WITHOUT LICENSE

11

When unmarried persons, not minors, have been living together as man and wife, they may, without a license, be married by any clergyman. A certificate of such marriage must, by the clergyman, be made and delivered to the parties, and recorded upon the records of the church of which the clergyman is a representative. No other record need be made. (Sec. 79, Civil Code)

10 DECLARATION OF UNRECORDED MARRIAGE

10

If no record of the solemnization of a marriage heretofore contracted, be known to exist, the parties may join in a written declaration of such marriage substantially showing:

One: The names, ages, and residence of the parties.

Two: The fact of marriage.

Three: That no record of such marriage is known to exist. Such declaration must be subscribed by the parties and attested by at least three witnesses. (Sec. 76, Civil Code)

Declarations of marriage must be acknowledged and recorded in like manner as grants of real property. (Sec. 77, Civil Code)

13 PROOF AND ACKNOWLEDGMENT OF INSTRUMENTS, PROVISIONS OF THE CIVIL
CODE OF CALIFORNIA

13

A. Sec. 1180. By whom acknowledgments may be taken in this State. The proof or acknowledgment of an instrument may be made at any place within this State before a justice or clerk of the Supreme Court, or judge of a Superior Court,

B. Sec. 1181. By whom acknowledgments may be taken. The proof or acknowledgment of an instrument may be made in this State, within the city, county, city and county, township or district for which the officer was elected, or appointed, before either:

1. A clerk of a court of record;
2. A county recorder;
3. A court commissioner;
4. A notary public;
5. A justice of the peace.

C. Sec. 1182. By whom taken without the State. The proof or acknowledgement of an instrument may be made without this State, but within the United States, and within the jurisdiction of the officer, before either:

1. A justice, judge, or clerk of any court of record of the United States; or,
2. A justice, judge, or clerk of any court of record of any State; or,
3. A commissioner appointed by the Governor of this State for that purpose; or,
4. A notary public; or,
5. Any other officer of the State where the acknowledgment is made, authorized by its laws to take such proof or acknowledgment.

D. Sec. 1183. Proof of, outside United States. The proof or acknowledgment of an instrument may be made without the United States, before either:

1. A minister, commissioner, or charge d'affaires of the United States, resident and accredited in the country where the proof or acknowledgment is made; or,
2. A consul, vice consul, or consular agent of the United States, resident in the country where the proof or acknowledgment is made; or,
3. A judge of a court of record of the country where the proof or acknowledgment is made; or,

(Section Continued on Next Page)

12 ENTRY OF DIVORCE DECREES NUNC PRO TUNC

12

A. Entry of interlocutory decree nunc pro tunc: Notice and showing required:

Operating and effect:

In cases in which the court has determined that a divorce ought to be granted, but by mistake, negligence or inadvertence, the interlocutory judgment has not been signed, filed or entered, the court may, in default cases on motion of either party with notice to the other and in contested cases, on motion of either party with notice to the other and a showing that no appeal is to be taken in the action or a motion for a new trial made, cause the interlocutory judgment to be signed, dated, filed and entered therein as of the date when the same could have been signed, dated, filed and entered originally. Upon the entry of such interlocutory judgment, the parties shall have the same rights to a final judgment that they would have had, had the interlocutory judgment been entered upon the date when it could have been entered originally. (Sec. 131.5, Civil Code)

B. Entry of final judgment nunc pro tunc: Effect of such entry: Marriage subsequent to interlocutory judgment validated.

Whenever either of the parties in a divorce action is, under the law, entitled to a final judgment, but by mistake, negligence or inadvertence the same has not been signed, filed or entered, if no appeal has been taken from the interlocutory judgment or motion for a new trial made, the court, on the motion of either party thereto or upon its own motion, may cause a final judgment to be signed, dated filed and entered therein granting the divorce as of the date when the same could have been given or made by the court if applied for. Upon the filing of such final judgment, the parties to such action shall be deemed to have been restored to the status of single persons as of the date affixed to such judgment, and any marriage of either of such parties subsequent to one year after the granting of the interlocutory judgment as shown by the minutes of the court, and after the final judgment could have been entered under the law if applied for, shall be valid for all purposes as of the date affixed to such final judgment, upon the filing thereof. (Sec. 133, Civil Code)

14 NOTARIAL POWERS OF POSTMASTER IN ALASKA - PROVISION OF POSTAL CODE

14

Section 33 of the Postal Laws provides that a Postmaster in the Territory of Alaska may exercise the authority of a notary provided he signs his name to the document with the notation that he is postmaster and that he has authority under Section 33 of the Postal Laws. He must also affix the stamp of the post office, which shows the place and date.

4. Commissioners appointed for such purposes by the Governor of the State, pursuant to special statutes; or,
 5. Notary public.
- E. Sec. 1184. Deputy can take acknowledgment. When any of the officers mentioned in the four preceding sections are authorized by law to appoint a deputy, the acknowledgment or proof may be taken by such deputy, in the name of his principal.
- F. Sec. 1185. Requisites for acknowledgments. The acknowledgment of an instrument must not be taken, unless the officer taking it knows or has satisfactory evidence, on the oath or affirmation of a credible witness, that the person making such acknowledgment is the individual who is described in and who executed the instrument; or, if executed by a corporation, that the persons making such acknowledgment is the president or secretary of such corporation, or other person who executed it on its behalf.
- G. Sec. 1187. Conveyance by married woman. A conveyance by a married woman has the same effect as if she were unmarried, and may be acknowledged in the same manner.
- H. Sec. 1188. Certificate. An officer taking the acknowledgment of an instrument must endorse thereon or attach thereto a certificate substantially in the forms hereinafter prescribed.
- I. Sec. 1189. Form of certificate of acknowledgment. Outside of State Certificate of clerk of court. The certificate of acknowledgment, unless it is otherwise in this article provided, must be substantially in the following form: "State of _____, county of _____ ss: On this _____ day of _____, in the year _____, before me (here insert name and quality of the officer), personally appeared _____, known to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the within instrument, and acknowledged that he (she or they) executed the same." Provided, however, that any acknowledgment taken without this State in accordance with the laws of the place where the acknowledgment is made, shall be sufficient in this State; and provided further, that the certificate of the clerk of a court of record of the county or district where such acknowledgment is taken, that the officer certifying to the same is authorized by law so to do, and that the signature of the said officer to such certificate is his true and genuine signature, and that such acknowledgment is taken in accordance with the laws of the place where the same is made, shall be prima facie evidence of the facts stated in the certificate of said clerk.

Note:

1. Such certificate is known variously as:
 - Notarial Certificate
 - Clerk's Certificate
2. Exemplified Copy: Is a more formal certification, with certification from presiding judge certifying to the office of the clerk who has certified to the office of the notary.

C. Form of Ordinary Oath to a Witness

An oath, or affirmation, may be administered as follows, the person who swears, or affirms, expressing his assent when addressed in the following form: "You do solemnly swear (or affirm, as the case may be), that the evidence you shall give in this issue (or matter), (Pending between _____ and _____,) shall be the truth, the whole truth, and nothing but the truth, so help you God." (Sec. 2094, Code of Civil Procedure)

D. Form May Be Varied to Suit Witness' Belief

Whenever the court before which a person is offered as a witness is satisfied that he has a peculiar mode of swearing, connected with or in addition to the usual form of administration, which, in his opinion, is more solemn or obligatory the court may, in its discretion, adopt that mode. (Sec. 2094, Code of Civil Procedure)

E. Other Than Christian Religion

When a person is sworn who believes in any other than the Christian religion, he may be sworn according to the peculiar ceremonies of his religion, if there be any such. (Sec. 2096, Code of Civil Procedure)

F. Declare or Affirm

Any person who desires it may, at his option, instead of taking an oath make his solemn affirmation or declare by assenting when addressed in the following form: "You do solemnly affirm (or declare) that *** (etc.)." (Sec. 2097, Code of Civil Procedure)

15 OATHS AND AFFIRMATIONS

15

A. Who May Administer Oaths

Every county officer named below, and his deputy, and every justice of the peace may administer and certify oaths. (Sec. 4013 and 4314, Political Code)

1. A district attorney;
2. A sheriff;
3. A county clerk;
4. An auditor;
5. A treasurer;
6. A recorder;
7. A license collector;
8. A tax collector; who shall be an ex officio license collector;
9. An assessor;
10. A superintendent of schools;
11. A public administrator;
12. A coroner;
13. A surveyor;
14. Members of the board of supervisors;
15. A livestock inspector;
16. A fish and game warden;
17. A county librarian;
18. Such other officers as may be provided by law;

B. Judicial and Certain Officers Authorized to Administer Oaths

Every court, every judge, or clerk of any court, every justice, and every notary public, and every other officer or person authorized to take testimony in any action or proceeding, or to decide upon evidence, has power to administer oaths or affirmations. (Sec. 2093, Code of Civil Procedure)

(Section Continued on Next Page)

17 ACTION TO HAVE CHILD DECLARED FREE FROM CUSTODY AND CONTROL OF HIS PARENTS

17

- A. The jurisdiction of the Juvenile Court extends to any person under the age of 21 years who should be declared free from the custody and control of his parents, under certain provisions outlined in Sec. 701, Welfare and Institutions Code.

Proceeding to declare a person free from the custody and control of his parent is contained in Secs. 775-786, Welfare and Institutions Code.

- B. Anyone asking information regarding the procedure whereby a child may be declared free from the custody and control of his parents should be referred to Secs. 701 and 775-786, Welfare and Institutions Code, and referred to the local probation officer for advice on assistance in filing the necessary petition.
- C. Consent of the parent to the adoption is not necessary when a father or mother has been judicially deprived of the custody and control of such child by order of the Juvenile Court, declaring such child to be free from the custody and control of such parent. (Sec. 224, Civil Code; Chapter V, Secs. 2400 - 2490)

16 ACTION TO SET ASIDE A COURT ORDER

16

- A. Relief from judgment taken by mistake, etc. The court may, upon such terms as may be just, relieve a party or his legal representative from a judgment, order, or other proceeding taken against him through his mistake, inadvertence, surprise or excusable neglect. Application for such relief must be accompanied by a copy of the answer or other pleading proposed to be filed therein, otherwise the application shall not be granted, and must be made within a reasonable time, in no case exceeding six months, after such judgment, order or proceeding was taken. (Sec. 473, Code of Civil Procedure)

19 ADOPTION OF INDIANS - FEDERAL LEGISLATION

19

On July 8, 1940, the following act on adoption (Public No. 733, 76th Congress) was approved, towit:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in probate matters under the exclusive jurisdiction of the Secretary of the Interior, no person shall be recognized as an heir of a deceased Indian by virtue of an adoption -

1. Unless such an adoption shall have been -

- a. by a judgment or decree of a State Court:
- b. by a judgment or decree of an Indian Court:
- c. by a written adoption approved by the superintendent of the agency having jurisdiction over the tribe of which either the adopted child or the adoptive parent is a member, and duly recorded in a book kept by the superintendent for the purpose".

18 ACTION TO HAVE A CHILD DECLARED A WARD OF JUVENILE COURT

18

- A. The jurisdiction of the Juvenile Court extends to any person under the age of 21 years who comes under the provisions of Sec. 700, Welfare and Institutions Code.

Proceeding to declare a person a ward of the Juvenile Court, a commitment, and other disposition of wards is outlined in Secs. 720-750, Welfare and Institutions Code.

- B. A child made a ward of the court under the provisions of Sec. 735 or committed under the provisions of Sec. 740 of the Welfare and Institutions Code, is not legally free for adoption without the consent of his parent, whose consent is otherwise necessary to adoption under Sec. 224, Civil Code.

If the child was born out of wedlock, statement should be made that the mother will consent and that her consent alone is necessary under Sec. 224 of the Civil Code.

Where the mother alone is consenting to the adoption of a legitimate child and the father for a period of one year has wilfully failed to pay for the care, support and education of such child when able to do so, statement should be included concerning the issuance of citation to the father, requiring him to appear at the time and place set for the appearance in court under Sec. 227, Civil Code. (See Sec. 224, Civil Code)

When the father or mother has been judicially deprived of the custody and control of the child by order of the Juvenile Court, a statement should be included of the date and place of the order declaring such child to be free from custody and control of either or both of his parents.

When the consent of the parent is not necessary according to provision four under Sec. 224, Civil Code, the facts should be set forth.

When the child has been deserted without provision for its identification, this fact should be set forth.

IV.

That said child is now in the County of....., State of California, and is residing at.....Street.

V.

That petitioners desire to adopt said child and desire to adopt him/her under the name of.....

WHEREFORE, petitioners pray the Court to permit all persons concerned in this matter to attend and be heard, and that the Court examine all persons thus appearing before it, each separately, as required by law, and, if satisfied that the interests of the child will be promoted by the adoption proposed, grant said petition and make an order decreeing that said child has been duly and legally adopted by petitioners, and that child hereafter bear the name of

.....

Petitioners

.....
 Attorney for Petitioners

(Section Continued on Next Page)

20 SUGGESTED OUTLINE FOR PETITION FOR ADOPTION (Guide only - Cannot
be used for filing)

20

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

.....
IN THE MATTER OF THE ADOPTION OF

PETITION FOR ADOPTION

....., a Minor :
.....

To the Honorable Superior Court of the State of California, in and for said
County:

The petition of.....and.....
of said County, respectfully shows:

I.

That the petitioners herein are each over the age of twenty-one years; that
each of them is more than 10 years older than the child to be adopted; that they
are residents of the County of....., State of California; that
they have been united in marriage for..... years last past; and that
they now reside with each other in said County and State at.....
and..... (Street)
(Town)

II.

That....., the minor child, was born on the
.....day of....., 19...., unto.....
and.....husband and wife. (Or, was born out of
wedlock unto.....; or was born unto.....;
and that pursuant to Secs. 220 and 224 of the Civil Code of the State of Cali-
fornia the consent of the mother only is required to this adoption.)

III.

If the child has been relinquished to an agency licensed by the State Department
of Social Welfare to place children for adoption, this statement should be made
and a copy of the relinquishment attached to the petition. (This applies only
to agency adoptions.)

If the parents are consenting to the adoption, the statement should be made, nam-
ing each parent and stating that he will give his consent to this adoption.

If the parent is deceased, that fact should be stated giving date and place of
death.

(Section Continued on Next Page)

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

Page two

Executed on..... 194...

In the presence of

.....
Judge of the Superior Court

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____

.....
IN THE MATTER OF THE ADOPTION OF :
: :
: :
....., a Minor :
: :
.....:

No.....

CONSENT OF HUSBAND

I, one of the undersigned petitioners herein, husband of said other petitioner, do hereby consent to the adoption of said minor child..... by my wife, and that the said child shall be by us jointly adopted.

.....
Husband

CONSENT OF WIFE

I, one of the undersigned petitioners herein, wife of said other petitioner, do hereby consent to the adoption of said minor child..... by my husband, and that the said child shall be by us jointly adopted.

.....
Wife

CONSENT OF CHILD

I, the said minor child of the age of years, do hereby consent to my adoption by said petitioners and to my name being changed to.....

.....
(To be signed if the child is over the age of 12 years)

AGREEMENT OF ADOPTION

We, the undersigned petitioners having petitioned the above entitled Court for the approval of the adoption of the above-named minor child, do hereby agree with the State of California and with the said minor child that the said minor child shall be adopted and treated in all respects as our own lawful child should be treated and that said minor child shall enjoy all of the rights of a natural child of our own issue, including the right of inheritance.

.....
.....
(Section Continued on Next Page)

21 (Continued)

21

That said minor child was born the day of , 19
in the City of , County of , State of California, unto

That pursuant to Sections 200 and 224 of the Civil Code of the State of California, the consent of said mother only is required to this adoption; that said mother has consented to said adoption, her written consent having been duly executed in the presence of an agent of the State Department of Social Welfare as prescribed by Section 226 of the Civil Code of the State of California, which consent is filed herein.

It further appears and the Court now finds that said is the natural mother of said minor and was entitled to its sole custody and control and that the consent of no other parent to this adoption is necessary.

And it further appearing that said petitioners and each of them, in open court, have consented in writing to the adoption of said child by the other and by both; and said petitioners having each duly executed an agreement to the effect that said child shall be adopted and treated in all respects as the lawful issue of petitioners and of each of them;

And it further appearing, and the court being fully satisfied, that the interests of said child will be promoted by its adoption by said petitioners;

(Section Continued on Next Page)

21 SUGGESTED OUTLINE FOR PREPARING COURT ORDER GRANTING ADOPTION

IN AND FOR THE COUNTY OF _____

In the Matter of the Adoption)
)
 of)
)
)
)
 A Minor.)

DECREE OF ADOPTION

The petition of _____ and _____ for the order of this court awarding the custody of _____, a minor to petitioners and decreeing that henceforth said minor shall be the adopted child of said petitioners, came on regularly to be heard on this date, said _____ and _____ and said child appearing in person before the court at the hearing; it appears to the court that the State Department of Social Welfare has filed herein its written consent to said adoption and its written report in which it recommends the granting of said petition; and the court having examined said petitioners and each of them separately, and other testimony both oral and documentary having been introduced and the court being fully advised in the premises, now finds:

That all of the averments contained in the petition of _____
and _____ are true; that said petitioners are husband and wife and
now reside with each other in the City of _____, County of _____, State
of California; that said petitioners are and each of them is more than ten
years older than said child.

Reissued November 21, 1947

BOOKS

- Abbott, Grace. The Child and the State, Vol. II, Adoption, Chicago; The University of Chicago Press, 1938.
- Adoption Practice, New York; Child Welfare League of America, 1941.
- Aldrich, C.A., and Aldrich, Mary A. Babies are Human Beings, New York; MacMillan Co., 1938.
- Allen, Frederick H. Psychotherapy with Children, New York; W. W. Norton & Co., 1942.
- Anderson, John E. Happy Childhood, New York; D. Appleton-Century Co., 1933.
- Baylor, Edith M.H., and Monachesi, Elio D. The Rehabilitation of Children, New York; Harper & Bros., 1939.
- Blatz, William E., M. B., Ph. D., and Bott, Helen, M. A. The Management of Young Children, New York; William Morrow & Co., 1930.
- Brooks, L.A., and Brooks, R. C., Adventuring in Adoption, Chapel Hill; The University of North Carolina Press, 1939.
- Cole, Luella, Ph. D., Psychology of Adolescence, New York; Farrar & Rinehart, Inc., 1936.
- de Schweinitz, Karl, Growing Up, New York; MacMillan Co., 1938.
- Elliott, G. L. Understanding the Adolescent Girl, New York; Henry Holt & Co., 1930.
- Garrison, Charlotte G., and Sheehy, Emma D., At Home with Children, New York; Henry Holt Co., 1943.
- Groves, Ernest R., and Groves, Gladys H., Wholesome Children, New York; Houghton Mifflin Co., 1931.
- Wholesome Childhood, Boston; Houghton Mifflin Co., 1931.
- Wholesome Parenthood, Boston; Houghton Mifflin Co., 1929.
- Gruenberg, Benjamin C., High Schools and Sex Education, Washington, D.C.; United States Public Health Service, 1940.
- Gruenberg, Sidonie Matsner, We The Parents, New York; Harper and Brothers, 1939.
- Hohman, Leslie B., As the Twig is Bent, New York; MacMillan Co., 1940.

(Section Continued on Next Page)

21 (Continued)

21

IT IS HEREBY ORDERED that the custody of said child be, and it is hereby awarded to and that said child shall from now henceforth be the adopted child of _____ and _____ and shall henceforth be regarded and treated in all respects as their child; that they shall sustain toward said child and said child toward them the legal relation of parent and child, and have all of the rights and be subject to all of the duties of that relationship; that the name of said child shall henceforth be _____

Done in open Court this _____ day of _____, 19 ____.

/s/
Judge of said Superior Court

U. S. GOVERNMENT PUBLICATIONS

- "Adoption - What It Means", Children's Bureau Folder, No. 13. (Preferred especially for prospective adoptive parents.)
- "Child From 1 to 6, His Care and Training", Children's Bureau Publication, No. 30. (15¢)
- "Guiding the Adolescent", Children's Bureau Publication, No. 225. (15¢)
- "Keeping the Well Baby Well," Children's Bureau Folder No. 9.
- "Out of Babyhood Into Childhood, 1 to 6 Years," Children's Bureau Folder, No. 10
- "For the Children's Bookshelf," #304, 10¢.
- "We Grow Up," U. S. Public Health Service, 1940.

STATE OF CALIFORNIA PUBLICATIONS

- Biennial Report of State Department of Public Welfare, July 1, 1924 to June 30, 1926 (with additional data, July 1, 1922 to June 30, 1924).
- Biennial Report of Department of Social Welfare, 1927-1928.
- Second Biennial Report of Department of Social Welfare, July 1, 1928 to June 30, 1930,
- Third Biennial Report of Department of Social Welfare, July 1, 1930 to June 30, 1932.
- Biennial Report of Department of Social Welfare, July 1, 1934 to June 30, 1936 (with additional data, July 1, 1932 to June 30, 1934).
- Biennial Report of Department of Social Welfare, July 1, 1936 to June 30, 1938.
- Biennial Report of Department of Social Welfare, July 1, 1938 to June 30, 1940.
- Biennial Report of Department of Social Welfare, July 1, 1940 to June 30, 1942.
- Biennial Report of Department of Social Welfare, July 1, 1942 to June 30, 1944.
- Biennial Report of Department of Social Welfare, July 1, 1944 to June 30, 1946.

- Hutchinson, Dorothy, In Quest of Foster Parents, New York; Columbia University Press, 1943.
- Isaacs, Susan, Social Development in Young Children, New York; Harcourt, Brace and Co., 1937.
- Jenkins, R. L. Adoption Practices and the Physician, New York; Child Welfare League of America, 1939.
- Lawren, Edith L., The Role of the Substitute Parents in the Life of the Emotionally Deprived Child, New York; Child Welfare League of America, 1937.
- Levy, Dr. John, and Munroe, Dr. Ruth, The Happy Family, New York; Alfred A. Knopf, 1939.
- Patri, Angelo The Questioning Child, New York; D. Appleton & Co., 1931.
- Prentice, Carol S., An Adopted Child Looks at Adoption, New York; D. Appleton-Century Co., 1940.
- Sayles, Mary Buell, Substitute Parents, New York; The Commonwealth Fund, 1936.
- Spock, Benjamin, M.D., The Pocket Book of Baby and Child Care; The Pocket Books, 1946 (25¢).
- Thom, Douglas Everyday Problems of the Everyday Child, New York; Appleton and Co., 1927.
- VanSenden Thies, Sophie, The Child in the Foster Home, New York; New York School of Social Work, 1921.
- Wasson, Valentina, The Chosen Baby, Philadelphia; J. B. Lippincott, 1939.
- Wile, Ira S. The Challenge of Adolescence, New York; Greenberg, Publisher, 1939.
- Williamson, Margaretta, The Social Worker in Child Care and Protection, New York; Harper and Brothers, 1931.

ARTICLES

- "Adoption," Encyclopedia of Social Sciences, Vol. 1.
- "Adoption," Social Work Year Book, 1937, Russell Sage Foundation.
- "Adoption," Social Work Year Books, 1937, 1943, and 1947, Russell Sage Foundation.

(Section Continued on Next Page)

Subject

Number or Date

CHANGES IN LAW

Provision in effect at time of order determines procedure.	7604
Where two enactments covering same code section passed at same session, latter applies	NS5055
Amendment to law does not have retroactive effect.	45/199

CITATION TO FATHER DEPRIVED OF CUSTODY

Necessary though father deserted and presumptively dead.	10311
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CONSENT

Conforms to law in effect at time of order	12/1/31
Distinguished from relinquishment.	6079 & NS4672
Father's consent cannot be eliminated under Sec. 224 unless ability to support child can be shown	NS5685
Guardian of minor--consent not necessary	8207
Identity of adopting parent must be shown on consent signed by natural parent	10/1/27 & NS4672
Inmate of State Hospital may sign if competent	NS546 & 9997
Insane person in hospital for insane not capable of giving consent	3/29/33
Legitimate child, both parents must consent though father awarded custody	9261
Legitimated child, natural father must consent	7/17/30
Marriage annulled--both parents must sign.	7524
Mother deprived of custody by J. C. order need not sign.	9261
Out of State--County clerk must certify to commission of notary witnessing	7861
Presumption of legitimacy, unless refuted, legal father must sign.	9891, 45/199
Presumptive father, husband of mother may consent as	NS3778
Presumptive father, court must look to laws of nature to determine which shall sign.	45/199
Sole custody, when married mother claims SDSW and agencies have power and duty to examine correctness.	45/287
Spouse's consent should be witnessed by agent of SDSW.	9994
Vice-consul may witness outside United States.	1/25/34
Witnessing by agent not considered acceptance.	10110
Out of State consents valid though signed before notary in California prior to 9/15/45	45/199

CONSENT BY SDSW

Can be given without abandonment proceedings when child a foundling	NS5322
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(Section Continued on Next Page)

Subject	Number or Date
<u>ABANDONMENT PROCEEDINGS</u>	
Not Necessary when Child Abandoned without Means of Identification	NS5322
<u>ACCEPTANCE OF CONSENT</u>	
Mere witnessing by agent does not constitute	10110
State Department of Social Welfare cannot accept from agency outside State	7753
<u>ACKNOWLEDGMENT OF INSTRUMENTS</u>	
Outside United States--before vice consul	1/25/34
Out of State--Clerk of court must certify to notary's commission	7861
<u>ADOPTION AGENCIES</u>	
May file habeas corpus proceedings to obtain custody of child.	7524
Method of appointing secretary	6079
Relinquishment confers power to consent.	6079
Relinquishment gives right to control of child	7524
Relinquishment should be filed at once with SDSW	NS1913
Report and approval of SDSW to be filed after filing of petition	NS223
<u>ADOPTIVE PARENTS</u>	
Names must appear on consent of natural parents.	NS4672
Not responsible for support of child of adopted daughter	5/13/33
<u>AID TO NEEDY CHILDREN</u>	
Child's eligibility not affected by adoptive grandparents' financial ability	5/13/33
<u>ANNULMENT OF MARRIAGE</u>	
Does not affect legitimacy of child.	7524
<u>DISSOLUTION OF MARRIAGE</u>	
Children born within ten months of final divorce decree legitimate	NS4527
<u>CANCELLATION OF RELINQUISHMENT</u>	
Mutual agreement necessary	3/2/32

(Section Continued on Next Page)

Subject

Number or Date

LEGITIMACY

Child born in wedlock but husband not father.	7524
Child presumed legitimate if born within 10 months of granting of final decree of divorce.	NS4527 & 45/199
Court has power to determine legitimacy on basis of mother's testimony.	45/287
Evidence to rebut presumption must be clear and satisfactory.	7948
Judgment of nullity of marriage does not affect.	7524
Presumption can be disputed only by testimony of husband or wife or descendants.	9891
Presumption may be overcome.	NS3778, NS4527, 7524, 45/199

LEGITIMATION BY ADOPTION

Essentials.	7/17/30, 7524 & 9891
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ORDER OF ADOPTION

Procedure governed by law in effect at time.	7604
Revocation of.	9912

OUT OF STATE CONSENTS

Consent without United States valid if witnessed by vice-consul of United States.	1/25/34
Valid though signed before notary in California prior to 9/15/45.	45/199
County clerk must certify to commission of notary witnessing.	7861

PARENTAL RELATION

Action to determine not necessary if affidavit obtained from husband.	7948
Relinquishment of child to agency releases parent from rights and responsibilities.	7753

RE-ADOPTION

By same parents for purposes of citizenship.	45/199
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RELINQUISHMENT

Acceptable only when made to agency licensed by SDSW.	7753
Cancellation only by mutual agreement.	3/2/32
Confers on agency power to consent.	6079 & 7524
Distinguished from consent.	6079
Duplicate originals necessary.	6079
Need not name adoptive parents.	10/1/27

(Section Continued on Next Page)

23 (Index, AGO, Continued)

23

Subject	Number or Date
<u>GUARDIAN OF MINOR</u>	
Consent to adoption not necessary.	8207
<u>HABEAS CORPUS PROCEEDINGS</u>	
Adoption agency may file	7524
<u>ILLEGITIMATE CHILD</u>	
Adoption by natural father	7524
Inherits from father when legitimated.	7524
Support of	7524
<u>INMATE OF STATE HOSPITAL</u>	
May sign consent if legally competent.	NS546 & 9997
<u>INSANE PERSON</u>	
Not capable of giving consent to adoption.	3/29/33
<u>INVESTIGATION BY STATE DEPARTMENT OF SOCIAL WELFARE</u>	
Advisory capacity in making.	10/1/27
Revocation proceedings under Sec. 473, Code of Civil Procedure, no duty in.	9912
Revocation proceedings under Sec. 2275, Civil Code, necessary in	NS755
<u>JOINT CUSTODY OF CHILD</u>	
Both parents must consent to adoption.	7/16/28
Father and mother of legitimate unmarried minor equally entitled to custody and must both execute relinquishment.	NS1812
<u>JUDICIAL DECREE</u>	
Although legitimate child may be awarded to father, consent of mother also necessary.	9261
Includes judgments or orders when custody of child directly in issue.	8704
<u>LEGAL FATHER</u>	
Consent necessary.	9891
May consent as presumptive father.	NS3778, 45/199

(Section Continued on Next Page)

AGENCY ADOPTIONS

AD 11 Acknowledgment of Relinquishment
AD 12 Waiver of State Department of Social Welfare
Adop M63 Clearance on Applications - Agency adoptions

STEPPARENT ADOPTIONS

AD 2 Consent to Adoption by Parent Retaining Custody
AD 2A Consent to Adoption by Parent Giving Custody to Husband or
Wife of Other Parent

INDEPENDENT ADOPTIONSAuthorizations

Adop M15 Child's Physician's Authorization
Adop M21 Employer's Authorization
Adop M26 Petitioner's Physician's Authorization
Adop M49 Mother's Physician's Authorization
Adop M51 Authorization by Petitioners for Release of Information
Adop M52 Authorization by Natural Parents for Release of Information
Adop M65 Parent's Authorization for Medical Care

Consents, Refusals and Withdrawals

AD 1 Consent to Adoption by Parent in California (legitimate)
AD 1A Consent to Adoption by Mother in California (illegitimate)
AD 1B Consent to Adoption by Mother Outside California (illegitimate)
AD 1C Consent to Adoption by Parent Outside California (legitimate)
Adop M43 Consent to Adoption by Legal Father in California
Adop M44 Consent to Adoption by Legal Father Outside California
Adop M50 Certificate by Superintendent State Hospital or State Director
of Institutions (Used in lieu of consent)

Adop M20 Refusal to Give Consent to Adoption (legitimate)
Adop M23 Refusal to Give Consent to Adoption (illegitimate)
Adop M30 Withdrawal of Consent (mother - illegitimate)
Adop M31 Withdrawal of Consent (legitimate)

Physicians' Reports

Adop M35 Physician's Report on Adopting Parents
Adop M36 Physician's Report Regarding Child to be Adopted
Adop M39 Report of Physician Attending Birth of Child Placed for Adoption

Questionnaires

AD 9 Questionnaire (petitioners)
Adop M67 Information Concerning Parent of Child to be Adopted

(Section Continued on Next Page)

Subject

Number or Date

RELINQUISHMENT (Continued)

Releases parents of rights & responsibilities for child NS1600
 Should be filed with SDSW at once NS1913

Signature

Legal father must sign unless presumption of legitimacy
 refuted. 9891
 Where joint custody both parents sign NS1812
 If sole custody, should so recite NS1812
 Statement of natural mother that husband not father, not
 conclusive evidence. 7948

REPORT TO COURT BY SDSW

Nature of 10/1/27
 On agency adoptions should be filed after notice of pendency
 received NS223
 On petition to set aside adoption decree. 9912 & NS755

REVOCATION OF ORDER OF ADOPTION

Under Sec. 473, Code of Civil Procedure 9912
 Under Sec. 227b, Civil Code NS755

SOLE CUSTODY

Court may make determination on basis of mother's testimony 45/287
 Mother entitled to when she acknowledges and husband concedes
 illegitimacy of child. NS3778
 Statement of natural mother than husband not father not
 conclusive evidence of 7948

WITNESSING CONSENT:

In accordance with law in effect at time of order 12/1/31
 Mere witnessing by agent does not constitute acceptance
 by SDSW. 10110
 Consent of spouse of petitioner could be witnessed by agent 9994
 Non-resident parent's consent signed before notary in
 California prior to 9/15/45 is valid 45/199
 By vice-consul--out of United States. 1/25/34

MISCELLANEOUS

AD M6	Receipt for Money Paid for Receiving Verifications
AD 22	Infant Dismissal Report Form
AD 27	Report of Irregular Placement
Adop M54	Case Review - Adoption Agencies
Adop M61	Criminal Identification and Investigation Report
No Number	Certificate of Adoption (This form is distributed by the State Bureau of Vital Statistics)

24 (Index of Forms Continued)

24

INDEPENDENT ADOPTIONS (Continued)

References

AD 10 References (on petitioners)

Verifications

Adop M5 Request to Bureau of Vital Statistics for Certified Copies of Birth, Marriage, and Death Certificates
 Adop M7 Verification of Births
 Adop M8 Verification of Marriages
 Adop M9 Verification of Divorces
 Adop M10 Verification of Deaths
 Adop M29 Employment Verification

COURT NOTIFICATIONS

AD 3 Notification of Pendency of Action (Agency and Independent)
 AD 3A Notification of Pendency of Action (Stepparent)
 AD 4 Acknowledgment of Receipt of Adoption Material
 AD 28 Notification of Subsequent Action
 AD 29 Acknowledgment of Receipt of Adoption Material (Subsequent Actions)
 Adop M19 Request for Extension of Time for Filing Report to the Court
 Adop M34 Order Granting Extension of Time for Filing Report

OFFICE MECHANICS

Adop M32 Referral Form
 Adop M40 Adoption Work Sheet
 Adop M53 Check Sheet for Case Material
 Adop M57 Services: Intra-State and Out-of-State Requests
 Adop M66 Request for Clearance with Agencies on Petitioners
 Adop M69 Transmittal Sheet For Adoption Assignments

Statistics

Adop M42 Individual Record (Statistical)
 Adop M55 Statistical Card - Independent Adoptions

Monthly Reports

Adop M33 Monthly Report of Adoption Bureau on Intake
 Adop M56 (Rev) Monthly Report on Movement of Caseload in Independent Adoptions (Intra-departmental)
 Adop M68 Monthly Summary of Adoption Statistics

(Section Continued on Next Page)

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

Earl Warren
Governor

SOCIAL WELFARE BOARD

BEN KOENIG, CHAIRMAN
1680 NORTH VINE STREET
LOS ANGELES
MRS. RUBY BACIGALUPI
1870 JACKSON STREET
SAN FRANCISCO
JOHN C. CUNEO
922 J STREET
MODESTO
GERALD C. KEPPLER
135 NORTH BRIGHT AVENUE
WHITTIER
REV. THOMAS H. MARKHAM
409 NATIVE SONS' BUILDING
SACRAMENTO
JOHN T. MARTIN
1170 SEVENTH AVENUE
SAN DIEGO
MRS. JESSIE S. WILLIAMSON
2816 OAK KNOLL TERRACE
BERKELEY

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 5, 1947

1947 DEC 10 PM 1 55

RECEIVED
SACRAMENTO, CALIF.
FRANK M. JORDAN
SECRETARY OF STATE
STATE OF CALIFORNIA

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare with Manual Letter No. 112.

These regulations were adopted by the State Social Welfare Board pursuant to the powers conferred upon it by the Welfare and Institutions Code under sections 103, 103.5, 103.6, and 114b and are filed in accordance with provisions of section 11381 of the Government Code.

Regulations contained in this material were adopted to be effective immediately on filing with the Secretary of State since this has been found necessary for the immediate preservation of the public peace, health and safety or general welfare, notice and public procedure there on being impracticable, unnecessary or contrary to the public interest.

Department of Social Welfare Bulletin No. 256 issued June 22, 1944 is hereby cancelled.

FILED

in the office of the Secretary of State
of the State of California

Very sincerely yours,

DEC 10 1947

At 1:00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Robert V. Jordan*
Assistant Secretary of State

206:b5

Attachments

Charles M. Wollenberg
CHARLES M. WOLLENBERG, Director
Department of Social Welfare

Certified as a Regulation (or as
Regulations) of the

State Dept. of Soc. Welfare
(Name of State Agency)

Mr. Ellinger
(Signature)

Director
(Title)

Dec. 9, 1947
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

December 8, 1947

1297

MANUAL LETTER NO. 112

The attached material is the new chapter on Prevention of Blindness program and should be entered in your Public Assistance Manual immediately following the Blindness Chapter. This is new material so there are no revision numbers to be canceled. This chapter was approved by the Social Welfare Board November 21, 1947.

While this material is new insofar as its inclusion in the manual is concerned, many of the policies and procedures were set forth in Department Bulletin 256, issued in June, 1945. The material has been greatly expanded in the light of actual experience gained during the intervening two and one-half years.

While the Prevention of Blindness program is a direct administrative responsibility of the state, county participation is essential in many important areas if the program is to function to the maximum benefit of all concerned. The material presented herewith is designed to clarify in considerable detail policies and procedures governing the operation of the program.

Please cross off Revision 4 on your Citizenship Chapter separator as this number was not used.

Bulletin 256 issued June 22, 1945 is hereby canceled.

FILED
in the office of the Secretary of State
of the State of California

DEC 10 1947

At 1:00 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Frank M. Jordan*
Assistant Secretary of State

REVISION RECORD

Revisions issued in changing this Chapter will be numbered in sequence. Changes made will be indicated by a vertical line in the margin of the corrected page, against the line or lines changed.

IT IS IMPORTANT that the holder of this Manual check the numbers below, corresponding with the numbers of the revisions when the latter have been incorporated in the Manual and the old pages removed, and that the State Department of Social Welfare be promptly notified in the event a number is passed without receipt of the corresponding numbered sheet.

1	11	21	31	41	51	61	71
2	12	22	32	42	52	62	72
3	13	23	33	43	53	63	73
4	14	24	34	44	54	64	74
5	15	25	35	45	55	65	75
6	16	26	36	46	56	66	76
7	17	27	37	47	57	67	77
8	18	28	38	48	58	68	78
9	19	29	39	49	59	69	79
10	20	30	40	50	60	70	80

PREVENTION OF BLINDNESS—TABLE OF CONTENTS

Foreword				
Provisions of W&IC Regarding Prevention of Blindness and Restoration of Vision	ANB	APSB	Sec.	185-00
Selection of Cases				185-05
Request for Treatment				185-10
Scope of SDSW Prevention of Blindness Program	ANB	APSB		185-15
Eligibility for Prevention of Blindness	ANB	APSB		185-20
Types of Treatment				185-25
Treatment Centers				185-30
Participation by County in Prevention of Blindness Program				185-35
General Procedures				185-40
Travelers' Aid Society				185-45
Effect of Surgery on Eligibility to Aid				185-50
Invoices for Service				185-55
Eye Care by Other State Departments				185-60
Rules for Travel Expenses in Relation to Prevention of Blindness Program				185-65
Forms Used in Prevention of Blindness Procedures				189-99

185-00 PROVISIONS OF W&IC REGARDING PREVENTION OF BLINDNESS
AND RESTORATION OF VISION
ANB, APSB

185-00

The SDSW may provide for treatment or operations to prevent blindness, or restore vision to applicants for, or recipients of, Aid to the Blind who voluntarily request and make written application for such treatment or operation.

This service shall be extended only to those persons whose age and physical and mental condition will make such physical rehabilitation profitable to the individual, shown by the findings of the physician in the report of the eye examination to be eligible for such treatment, and recommended for such treatment after a full investigation of each case by the advisory committee of ophthalmologists or by an ophthalmologist who has been designated by the advisory committee.

The treatment or operation recommended shall be given at any hospital or clinic designated by the advisory committee, and necessary traveling expenses shall be allowed as part of the expense of the treatment. The SDSW shall reimburse the county or the eye patient for all necessary expenses incurred in connection with the diagnosis and treatment. Necessary expenses shall include the costs of guide service, maintenance while the patient is away from his home, transportation to the eye physician or hospital and return to his home, and the cost of nursing home care when such care is necessary. (W&IC 3051, 3462)

185-05 SELECTION OF CASES
ANB, APSB,

185-05

Selection of individuals who might benefit by treatment is made from the physicians' reports of eye examination on file in the SDSW and from referrals by the county welfare department or otherwise. The State Ophthalmologist will review the eye examination reports and when necessary make an appointment for an eye examination by the State Ophthalmologist or request a current diagnostic eye examination by an ophthalmologist selected by the SDSW. (SEE SECS. 185-40, GENERAL PROCEDURES, AND 185-20, ELIGIBILITY FOR PREVENTION OF BLINDNESS.) (W&IC 3051, 3462)

185-10 REQUEST FOR TREATMENT
ANB, APSB

185-10

Final decision to accept or reject the opportunity for treatment or operation to prevent blindness or restore vision must be made entirely by the individual since the law provides that treatment may be extended only upon voluntary request therefor. When the individual wishes eye care under the prevention of blindness program, he indicates his voluntary request by completing and signing a Request for Treatment (Form B1 M524).

A careful interpretation must be given the individual before he signs the Request for Treatment. (SEE SEC. 185.35, PARTICIPATION BY COUNTY IN PREVENTION OF BLINDNESS PROGRAM.) (W&IC 3051, 3075, 3460, 3462)

PREVENTION OF BLINDNESS

FOREWORD

A study of the causes of blindness in California reveals that there are many blind persons throughout the state, among applicants for and recipients of Aid to the Blind, whose vision could either be restored or further loss of eyesight prevented by adequate treatment. Medical, surgical, and refractive service will be provided by SDSW to those blind persons who voluntarily request the service and are found to be eligible.

The medical program of eye care (Prevention of Blindness or Restoration of Vision) is potentially one of great promise to the blind person and of real value in the conservation of public funds. Every effort should be made to give an intelligent presentation of the opportunity which it affords the individual but compulsion in any form must be entirely avoided. The final decision of the individual to accept or reject the opportunity of treatment must be entirely his own.

When surgery or treatment will prevent a progressive loss of sight for an individual who otherwise is eligible for Aid to the Blind, such person would be eligible for eye care even though the visual acuity at the time is more than 20/200 in the better eye with correction.

While the administration of the prevention of blindness program is direct state responsibility, county participation at several vital points is essential with a view toward making the program truly statewide in order that useful vision may be restored to the maximum number of persons and also to effect a substantial saving of public funds. (W&IC 3051, 3462)

185-20 ELIGIBILITY FOR PREVENTION OF BLINDNESS
ANB, APSB

185-20

A person is eligible for eye care under the prevention of blindness program if his eye condition is such that treatment or operation may either restore vision or prevent further loss of sight when:

1. His age and physical and mental condition will make eye care profitable to the individual;
2. He is not receiving eye care from any physician, clinic, or hospital, public or private, nor has he made prior commitments to any surgeon or institution (unless a signed release is presented);
3. He is a recipient of ANB or APSB;
4. He is an applicant for ANB or APSB and meets the following conditions of eligibility:
 - a. Age (Secs. 105-00 et seq.)
 - b. Residence (Secs. 120-00 et seq.)
 - c. Real Property (Secs. 130-00 et seq.)
 - d. Personal Property (Secs. 140-00 et seq.)
 - e. Income (Secs. 150-00 et seq.)
 - f. Blindness (Secs. 180-00 et seq.) Exception: If treatment will prevent a progressive loss of sight for an individual, he may be found eligible for eye care although his degree of vision would render him ineligible for ANB or APSB.

When an individual expresses an interest in eye care, an appointment will be made for an eye examination either by the State Ophthalmologist or by an ophthalmologist selected by the SDSW. (SEE SEC. 185-05, SELECTION OF CASES.)

In any case where an application for aid has been denied, a new application is not required for the purpose of eye care, regardless of the length of time which has elapsed between the denial action and the request for eye treatment. The following are, however, required:

1. An up-to-date Physician's Report of Eye Examination. (Form Bl 227)
2. Current information to establish eligibility. (W&IC 3051, 3075, 3460, 3462)

185-15 SCOPE OF SDSW PREVENTION OF BLINDNESS PROGRAM
ANB, APSB

185-15

Under the prevention of blindness program the SDSW may authorize treatment and/or operations for restoration of sight or prevention of blindness, as well as all expenses in connection therewith. Authorization to proceed must be secured from the SDSW prior to any commitment. Expenses which may be authorized include:

1. Diagnostic eye examination
2. General physical examination
3. Surgery and/or treatment
4. Hospitalization
5. Medication
6. Nursing home care when recommended by the surgeon
7. Transportation costs for the blind person and attendant when an attendant is required. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)
8. Hotel accommodations and meals for the blind person and attendant when an attendant is required. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)
9. Refractions, and glasses in specific cases

Refraction is required in not less than 90 nor more than 120 days after surgery, and glasses are provided following surgery when required.

After the permanent refraction at the end of the post-surgical period (90 to 120 days after surgery), the state will not be responsible for expenses incurred by the patient for further examinations or treatment unless specifically authorized by SDSW.

10. Salary and wages expenditures will be considered eligible for the usual Federal participation through the regular claims for reimbursement of administrative expenses procedure when the services to individuals are reasonably related to the categorical aid programs and the person is an applicant for or recipient of public assistance. The worker will charge her time according to the program under which the recipient is currently receiving aid, or if not receiving aid, to the program under which he is applying for assistance. (W&IC 3051, 3075, 3460, 3462)

185-35 PARTICIPATION BY COUNTY IN PREVENTION OF
BLINDNESS PROGRAM
ANB, APSB

185-35

Since individuals who might benefit from treatment are selected largely from physicians' reports of eye examinations on file in the SDSW and from referrals by the county welfare department, cooperative planning between the SDSW and the county welfare department is essential so that maximum benefit to the individual and the most economical expenditure of the funds can be achieved.

County participation in the prevention of blindness and restoration of vision program is essential for such service as:

1. Designation of a social worker (or medical social worker) from the county welfare department staff who would:
 - a. Accompany a representative from the SDSW on a call for interpretation of the program and procedures to the individual selected, or independently make the call and give such interpretation. (The interpretation of all eye conditions, prognosis or recommended treatment is to be done by the surgeon.)
 - b. Give any additional interpretation that may be indicated from time to time during the course of arrangements and treatment.
 - c. Give the individual assistance, if required, in completing the request for treatment (Form Bl M524).
 - d. Make arrangements for a physical examination by a general practitioner in the local community when necessary, or any other appointments with specialists.
 - e. Notify the individual of any appointment, i.e., with the State Ophthalmologist and/or other specialists, hospital, etc., and confirm these on request.
 - f. Assist the individual in making arrangements for transportation to the medical center and the return to his home. Whenever possible, advantage should be taken of special transportation rates for blind persons. (SEE SECS. 445-97, SPECIAL TRANSPORTATION RATES FOR BLIND PERSONS, AND 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)
 - g. Assist the individual in preparing a claim for reimbursement by the SDSW for expenses involved in securing eye care, i.e., cost of transportation, meals, hotel, taxi fares, etc., when such expenses have been paid by the individual. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)
2. When necessary, defray any costs incident to securing the treatment in behalf of the individual subsequently securing full reimbursement therefor from the SDSW. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)

(Section Continued on Next Page)

185-25 TYPES OF TREATMENT
ANB, APSB**185-25**

The following list indicates, in general, the types of treatment which may be authorized by the SDSW under the prevention of blindness program:

Cataract (of the eye), Needling or Discission, Operation for
Cataract, Operation for
Corneal Ulcer, Extensive Peripheral, Cauterization
Ectropion, Operation for
Entropion, Operation for
Iridectomy, Simple Iridectomy
Iridectomy plus paracentesis for glaucoma
Lacrymal Sac, Excision of, or Dacryocystotomy
Pterygium, Removal of
Retinal Detachment, Correction of

Request must be made to the SDSW for all treatment or surgery. Special request will be submitted to the advisory committee of ophthalmologists for recommendation for any treatment or surgery not listed in this section. The request shall include specific details with regard to the necessity for treatment or surgery.

Enucleations will be performed only when removal is necessary to preserve the vision in the remaining eye. Surgery for cosmetic purposes is not authorized.

Complications which arise while the patient is in the hospital or under the care of the operating surgeon shall be considered the financial obligation of the state and a proper charge against the funds appropriated for prevention of blindness.

Authorization may not be given for corneal transplant procedures.

Although binocular surgery may sometimes be authorized, in general surgery for one eye only will be authorized.

Since glaucoma is a condition which frequently requires emergent action, treatment should be provided through local medical facilities. The time required in securing authorizations and planning for the individual's care through the state's prevention of blindness program often negates the results of any treatment for glaucoma which might be provided by the SDSW. However, ocular complications subsequent to surgery by the SDSW may be authorized. (W&IC 3051, 3075, 3460, 3462)

185-30 TREATMENT CENTERS
ANB, APSB**185-30**

The SDSW advisory committee of ophthalmologists is required by law to designate the hospital or clinic in which eye care will be provided. The committee has determined that all surgery should be performed in the larger medical centers where the latest methods, techniques, equipment, and hospital accommodations are available, as well as a number of experienced surgeons.

Whenever possible, authorization is given for medical or refractive services in the local community. (W&IC 3051, 3075, 3460, 3462)

185-40 (Continued)

185-40

Authorization of Hospitalization (Form Bl M29) will be given the individual by the panel surgeon for presentation to the Admissions Office at the hospital. (SEE SEC. 185-30, TREATMENT CENTERS.)

Nursing home care will be provided as needed and prescribed by the surgeon following hospitalization.

An eye examination is required in all post-operative cases in not less than 90 or more than 120 days after surgery. (SEE SEC. 185-15, SCOPE OF SDSW PREVENTION OF BLINDNESS PROGRAM.) This post-operative eye examination is made by the operating surgeon or a physician designated by him, at which time the individual is refracted and glasses are provided when required. The post-operative examination may necessitate a return trip to the office of the surgeon. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.) A report of this post-operative examination on Form Bl 227 is submitted by the surgeon to the SDSW and, after review by the State Ophthalmologist, copy of the Physician's Report of Eye Examination (Form Bl 227) is sent to the county. If the individual was a recipient prior to surgery, a letter from the SDSW concerning continued eligibility to aid will accompany the Physician's Report of Eye Examination.

While the post-operative report of eye examination indicates the measured amount of visual acuity as a result of the surgery performed, a translation by the county of this measurement into terms of what the return of sight has meant to the individual is requested by the SDSW after a period of approximately six months has elapsed following surgery. Progress report (Form Bl M30) has been devised for the use of the counties for this purpose. (W&IC 3051, 3075, 3460, 3462)

185-35 (Continued)

185-35

3. The determination of eligibility of individuals who request eye care with regard to age, residence, income, real and personal property. (SEE SEC. 185-20, ELIGIBILITY FOR PREVENTION OF BLINDNESS.)

4. Prepare and forward a progress report (Form B1 M30) on request from SDSW containing a statement of the benefit gained by the individual after completion of the eye care. (SEE SEC. 185-40, GENERAL PROCEDURES.)

It is particularly important that when the blind person is a recipient of ANB or APSB, he be told that vision may be restored whereby eligibility to aid may no longer exist.

Final decision to accept or reject the opportunity for treatment or operation must be made entirely by the blind person since the law provides that treatment may be extended only upon a voluntary request. (SEE SEC. 185-10, REQUEST FOR TREATMENT.) (W&IC 3051, 3075, 3460, 3462)

185-40 GENERAL PROCEDURES ANB, APSB

185-40

When, upon review of a physician's report of eye examination by the State Ophthalmologist, it is found that the eye condition is such that treatment or surgery might restore vision or prevent further loss of vision, the county will be notified of such finding and be requested to arrange for an eye examination by the State Ophthalmologist or by a physician designated by the SDSW. The cost of this diagnostic eye examination by a physician designated by the SDSW to determine feasibility to eye care is borne by the state from funds appropriated for the prevention of blindness program. (Where current eye examination reports are available, this diagnostic eye examination may be dispensed with.) At the same time, the designated physician is notified that the county has been requested to arrange for the eye examination. The designated physician is requested to secure from the individual a Request for Treatment (Form B1 M524) or the county may secure the individual's signature on this form, if the individual desires to take advantage of the eye care offered by the SDSW.

The county is requested to arrange with a local physician for a complete physical examination of the individual, and submit to the SDSW a report of the physical examination on Form B1 M25 after it has been completed and signed by the examining physician. The SDSW will pay \$5 for this general physical examination.

If the physical and eye conditions of the individual are such as to indicate feasibility for eye care, the individual will be assigned to one of the surgeons on the panel selected for this particular program. The panel surgeon will be authorized by the SDSW to proceed and is responsible for (1) making hospital reservations, (2) making an appointment for the individual to be seen in the surgeon's office (this appointment to coincide with the date of hospital reservation), (3) notifying the individual (copy to county) of the date and hour of appointments, and (4) securing from SDSW authorization for nursing home care if needed.

(Section Continued on Next Page)

**185-55 INVOICES FOR SERVICE
ANB, APSB****185-55**

Since the prevention of blindness program is a direct state fiscal obligation, the SDSW will assume responsibility for defraying all necessary traveling expenses (hotel, meals, transportation, etc.) medical, surgical, and hospital charges, nursing home care, refractions, glasses when required, etc., when previous authorization has been secured. (SEE SEC. 185-15, SCOPE OF SDSW PREVENTION OF BLINDNESS PROGRAM.)

The SDSW will reimburse the county for any necessary expenses incurred on behalf of the blind person (and attendant if required) in connection with diagnosis and treatment. Necessary expenses include transportation costs and maintenance while away from his home. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)

The SDSW will reimburse the Blind person for necessary travel expenses for himself and attendant if such expenses are paid by the blind person. Necessary expenses include transportation costs and maintenance while away from his home. (SEE SEC. 185-65, RULES FOR TRAVEL EXPENSES IN RELATION TO PREVENTION OF BLINDNESS PROGRAM.)

The SDSW will pay the vendor direct for any other service rendered under this program by an individual, agency, or institution (physician or surgeon, hospital, nursing home, optician, etc.)

All invoices shall be properly itemized and submitted in triplicate to the State Department of Social Welfare, 311 South Spring Street, Los Angeles California, immediately after the expense is incurred.

Invoices may be submitted on Form DFA-193, Treatments or Operations to Prevent Blindness, and shall be signed by the vendor or person furnishing the supplies or service, or counties shall use Form AA 152 (Claim: Reimbursement to Counties - Treatments or Operations to Prevent Blindness) when travel expense for the blind person and attendant (when required) is paid by the county.

Every invoice shall be properly itemized before a claim, based thereon, is filed for payment.

The SDSW will reimburse the county through Federal funds for time and effort expended by its workers in determining the eligibility of a person who is an applicant for or recipient of public assistance for social services rendered in connection with the Prevention of Blindness program. The county in claiming reimbursement will follow the regular administrative expense procedures in Secs. 645-00 through 646-99. (W&IC 3051, 3075, 3460, 3462)

185-45 TRAVELERS' AID SOCIETY
ANB, APSB

185-45

When the blind person is traveling alone, or is accompanied by someone who is not familiar with the large cities, the Travelers' Aid Society is glad to extend their services. In planning for the blind person, the county is asked to advise the Travelers' Aid Society as far in advance as possible of the following:

1. Name and address of the blind person.
2. Brief description to include any distinctive physical characteristics for purposes of identification.
3. Method of travel - train or bus, and the name of the line on which the person will be traveling; the time of departure from city of residence and scheduled time of arrival in San Francisco or Los Angeles.
4. Destination and purpose of trip.
5. Name and address of the surgeon with whom the person has an appointment.
6. Time of appointment with the surgeon.

If it is necessary to change train or bus enroute, the county is asked to request assistance of the Travelers' Aid Society in the city where such change is made, who will assist the blind person to get the right train or bus.

185-50 EFFECT OF SURGERY ON ELIGIBILITY TO AID
ANB, APSB

185-50

A Physician's Report of Eye Examination (Form Bl 227) is forwarded to SDSW following refraction (90 to 120 days after surgery) which is used as a basis for determining continued eligibility on all surgeries performed under SDSW prevention of blindness program. The fee for this refraction and physician's report is paid by the SDSW from funds appropriated for prevention of blindness. A copy of the Physician's Report of Eye Examination (Form Bl 227) is sent to the county. A letter from the SDSW concerning continued eligibility will accompany the physician's report if the individual was a recipient of Aid to the Blind prior to surgery. (See Sec. 361-40, CONTINUED ELIGIBILITY QUESTIONED ON BASIS OF PHYSICIAN'S REPORT OF EYE EXAMINATION) (W&IC 3051, 3075, 3460, 3462)

185-65 (Continued)

185-65

Hotels

Claims for hotel accommodations shall not exceed \$4.00 per day and shall be accompanied by a voucher.

When a guest shares a room with either the blind patient or the attendant, only the single hotel rate may be charged.

Meals

The maximum allowance for meals is \$4.00 per day. If separate meals are charged, a maximum of \$1.00 for breakfast, \$1.25 for lunch, and \$1.75 for dinner is fixed.

Per Diem Allowance

In lieu of an allowance for hotel and meals, a maximum allowance of \$6.00 per day may be claimed.

Private Home Expense

When meals and lodging are charged a patient staying in a private home, a voucher must be obtained. The voucher should show the dates lodging covers, cost per day, meals itemized by day, and cost per meal.

Receipts for lodging (European Plan) or board and lodging (American Plan) shall be furnished and shall show dates for which the charge is made. American Plan shall not exceed \$8.00 per day.

The receipt must be made out to the patient or attendant and signed by the person furnishing the meals and lodging.

Transportation

No more than actual fare on any transportation service in accordance with the latest tariffs at the time the trip was made shall be allowed. Special rates and round trip shall be used whenever possible.

1. The Federal Interstate Commerce Act provides that a common carrier coming under provisions of the Act may carry any totally blind person accompanied by a guide or seeing-eye dog, or other dog specially trained and educated for that purpose, at the usual and ordinary fare charged for one person under such reasonable regulations as may have been established by the carrier.

(Section Continued on Next Page)

185-60 EYE CARE BY OTHER STATE DEPARTMENTS
ANB, APSB

185-60

Department of Health: Under the program for Services for Crippled Children administered through the State Department of Health, medical, surgical, corrective, and other services and care, including diagnosis, hospitalization, and after-care may be provided for children up to 21 years of age. This includes severe visual defects requiring surgical intervention.

Department of Education - Bureau of Vocational Rehabilitation: Under the Physical Restoration program administered by the Bureau of Vocational Rehabilitation, corrective surgery or medical treatment, if required to enable the individual to become vocationally feasible, may be provided. In general, those blind persons, or those threatened with blindness and who are between the ages of 21 and 50 years are referred to the Bureau of Vocational Rehabilitation for eye care. Through this agency, training may also be given in any occupation for which the individual may be fitted. (SEE SEC. 446-00 ET SEQ., BUREAU OF VOCATIONAL REHABILITATION OF STATE DEPARTMENT OF EDUCATION.)

185-65 RULES FOR TRAVEL EXPENSES IN RELATION TO
PREVENTION OF BLINDNESS PROGRAM
ANB, APSB

185-65

Invoices

All invoices shall be submitted in triplicate to the State Department of Social Welfare, 311 South Spring Street, Los Angeles, California, immediately after expenses are incurred.

Invoices may be submitted by the blind person or vendor on Form DFA-193, Treatments or Operations to Prevent Blindness, and shall be signed by the blind person, vendor, or person furnishing the supplies or service. When the signature of the person is by mark (X) the signature of a witness to the mark is required. If expenses of an attendant are included in the claim, the signature of the attendant is required.

Counties shall use Form AA 152 (Claim: Reimbursement to Counties- Treatments or Operations to Prevent Blindness) in claiming reimbursement for travel expense incurred for the blind person and attendant (when required).

Every invoice shall be properly itemized before a claim, based thereon, is filed for payment.

(Section Continued on Next Page)

185-65 (Continued)

185-65

Taxi Fares

All claims for taxi fares must show the points between which the fare is claimed.

Vouchers and Receipts

Vouchers and/or receipts shall accompany expense claims except:

1. Railroad and stage fares where the fares are available in published tariffs.
2. Meals
3. Street car, ferry fares, bridge and road tolls
4. Taxi or hotel bus fares

In case a receipt or voucher has been lost, a complete statement relative thereto shall be made on the expense account, except in the case of hotel vouchers. Duplicates of hotel vouchers are easily obtainable and must be secured.

(SEE SEC. 185-15, SDSW SCOPE OF PREVENTION OF BLINDNESS PROGRAM.) (W&IC 3051, 3075, 3460, 3462; STATE BOARD OF CONTROL RULES)

185-65 (Continued)

185-65.

2. State law provides that all blind residents of the state may be granted free transportation on all street cars. They may be permitted to travel on all other common carriers within the state for one-half the current fare. When any blind person is accompanied by a guide, the combined fares for such blind person and his guide may be fixed at not to exceed the current fare for an individual. The county is asked to provide the blind person with a letter to the common carrier indicating the need for this service.

Private Car

Where public transportation is not used, the maximum rate for which a claim may be allowed for the use of a privately owned automobile is $5\frac{1}{2}\phi$ per mile. The payment of mileage is for the use of the automobile and applies irrespective of the number of persons occupying the automobile.

Signed statements for private car transportation must accompany claim, and shall show the license number, total number of miles traveled, and the rate per mile.

Maximum Allowances

The fixing of maximum allowances does not authorize the filing of claims for sums in excess of expenditures.

For periods less than a full day, the allowance shall be computed on the basis of actual expenditures not to exceed the maximum allowance for hotel, breakfast, lunch, and dinner.

The specified dates for which allowances are requested shall be stated on the claim.

Travel Expenses of Attendant

If an attendant is required, expenses for hotel accommodations, meals, and transportation for such attendant may be claimed in accordance with these rules.

Expenses for an attendant will be allowed only for the time that actual attendance on the patient is required. This may include a round trip by common carrier for the purpose of assisting the patient on his return trip to his home where the need for such assistance exists.

(Section Continued on Next Page)

189-99

PREVENTION OF BLINDNESS

189-99 (Continued)

189-99

State of California
FORM AA 152

Department of Social Welfare

To XX COUNTY, Dr.
For Reimbursement to CountiesSubmit in Triplicate
State Department of Social Welfare
311 South Spring Street
Los Angeles 13, California

TREATMENTS OR OPERATIONS TO PREVENT BLINDNESS

(As Provided Under Section 3051 of the Welfare and Institutions Code)

(Do Not Write in
This Space)Date of Claim November 4, 1947

19____ Fiscal Year

Paid By XX County, California
County Case No. 3569
State Case No. FR 467 B1

Date		Amount	Paid by Warrant Number	Supported By Voucher Number
	<u>Mary Jones</u> (Name of Applicant)			
	<u>Fresno, California</u> (Address of Applicant)			
	Type of Service <u>Transportation expenses advanced</u> (Itemize service rendered)			
10/22	1 - RT Southern Pacific R/R fare - Fresno to San Francisco	5.05	45678	
	9 - Meals for 10/22 - 10/24/47 incl.	7.75	45679	
	Lodging for 2 nights, 10/22 - 10/24/47	5.00	45680	1
	Total Amount Paid By County	\$17.80		

STATE OF CALIFORNIA

County of XX

ss.

I, Jane Roe, being duly sworn, depose and say, that I am the county official responsible for relief in and for the said county, that the above charges are correct; that the services herein mentioned were actually rendered and the money was actually paid as set forth above. In accordance with Section 3051 of the Welfare and Institutions Code.

Signature of Jane Roe Welfare Director or Official in ChargeSubscribed and Sworn to Before Me this 4thDay of November, 1947Title County Welfare Director

I hereby certify that the above expenditures were incurred in accordance with Section 3051 of the Welfare and Institutions Code and that warrants totaling the amount shown above have been issued.

Title Notary Public or Deputy County ClerkSignature of Jack Smith County Auditor

FOR STATE USE ONLY

Expenditure Code	Approved for payment in accordance with Section 3051 of the Welfare and Institu- tions Code.	To be included on claim for Federal Reimbursement	
Recommended for Payment.		NOT reimbursable by Federal	
State Ophthalmologist	Chief, Division for the Blind	By (Initial)	
State Department of Social Welfare	State Department of Social Welfare	INSTRUCTIONS: If invoice is to be segregated between Federal reimbursable and Non-Federal reimbursable items. Note Federal reimbursable items opposite the amount by the symbol "FR".	
Date	Date		

Form AA 152, October, 1947

CLAIM: Reimbursement to Counties - Treatments or Operations to Prevent Blindness

189-99 FORMS USED IN PREVENTION OF BLINDNESS PROCEDURES

189-99.

FORM DFA 193 State of California		Department of Social Welfare
BILLED TO:		
STATE OF CALIFORNIA DEPARTMENT OF SOCIAL WELFARE 311 SO. SPRING STREET LOS ANGELES 13, CALIFORNIA		DATE <u>November 3, 1947</u> PLACE <u>Grass Valley, California</u>
<u>JOHN DOE</u> (Name of Applicant)		
<u>GRASS VALLEY, CALIFORNIA</u> (Address of Applicant)		
Type of Service <u>Travel expense to keep appointment with San Francisco surgeon authorized by the State</u> (Itemize Service Rendered) Department of Social Welfare		
10/19/47 Greyhound bus, Grass Valley - S.F. Round-trip for blind patient		\$5.50
10/19/47 Greyhound bus, Grass Valley - S.F. Round-trip for attendant		5.50
10/19 - 10/20/47 Lodging (See voucher attached) for patient		3.00
10/19 - 10/20/47 Lodging (See voucher attached) for attendant		3.00
10/19/47 Dinner (for patient and attendant)		3.00
10/20/47 Meals: Breakfast \$1.00 each (for patient and attendant)		2.00
Lunch \$1.25 (for attendant)		1.25
10/20/47 Taxi, hotel to doctor's office		.65
10/20/47 Taxi, Doctor's office to hospital		.80
11/3/47 RT Greyhound bus, Grass Valley - S.F. (for attendant to accompany patient home)		5.50
TOTAL AMOUNT		\$30.20
<u>Mary Doe</u> Signature of Attendant		

I HEREBY CERTIFY THAT THE ABOVE SERVICES CLAIMED HAVE BEEN RENDERED AS LISTED. NO PAYMENT HAS BEEN RECEIVED OR WILL BE CLAIMED FOR THESE SERVICES FROM OTHER SOURCES.	FOR STATE USE ONLY
(Name of individual or name of organization to be listed on warrant as payee)	Expenditure Code _____
By <u>John Doe</u> (Signature of individual, or signature of responsible official of the organization)	RECOMMENDED FOR PAYMENT.
INSTRUCTIONS: If the warrant is to be made out to an individual, the name of the individual and the signature of the individual listed as Payee must be identical.	STATE OPHTHALMOLOGIST STATE DEPARTMENT OF SOCIAL WELFARE
If an organization, a complete signature of a responsible official of the organization is necessary.	DATE _____
<u>Grass Valley, California</u> (Address of Payee)	Approved for payment in accordance with Section 3051 of the Welfare and Institutions Code
Date <u>November 3, 1947</u>	Chief, Division for the Blind State Department of Social Welfare
INVOICE - Treatments or Operations to Prevent Blindness INSTRUCTIONS: Submit in triplicate to State of California Department of Social Welfare 311 South Spring Street Los Angeles 13, California	Date _____ To be included on claim for Federal reimbursement <input type="checkbox"/> NOT reimbursable by Federal <input type="checkbox"/> By (Initial) _____
Form DFA 193, Revised May, 1947	INSTRUCTIONS: If invoice is to be segregated between Federal reimbursable and non-Federal reimbursable items, note Federal reimbursable items opposite the amount by the symbol "FR".

(Section Continued on Next Page)

189-99 (Continued)

189-99

State of California
Form Bl M524

Department of Social Welfare

REQUEST FOR TREATMENT
(Division for the Blind - Prevention of Blindness Program)

A thorough explanation has been given by Dr. Hancock
of the eye condition which makes treatment advisable in my case and
I hereby voluntarily request of the State Department of Social Welfare
such treatment as is necessary to relieve this condition. I am not
receiving eye care of any kind at present from any physician, clinic,
or hospital, public or private.

I have been assured that the attending ophthalmologist will
employ his professional knowledge and skill to obtain the best possible
results in this treatment, but neither the ophthalmologist nor any
official or employee of the State of California or of the County of
Sacramento has guaranteed the successful outcome of this
treatment, and it is understood that they assume no responsibility or
liability for the results of this care or treatment.

Jean Norman
(Signature of Witness)

Middleton
(Address)

Alice Elston
(Signature of Witness)

Middleton
(Address)

James Wetherly
Signature of Patient
1715 Pleasant St., Middleton
Address

June 2, 1947
Date

Form Bl M524, Revised September, 1946

189-99 (Continued)

189-99

State of California

Department of Social Welfare
Form BL M30

DIVISION FOR THE BLIND

Progress ReportName James Wetherly Sex M Age 62Address 1715 Pleasant St., Middleton County SacramentoType of Medical Service: Surgery X Treatment _____ Refraction _____

If surgery, give date:

July 7, 1947

Describe briefly the individual's activities (a) before care and (b) at present time:

(a) Before Care-

DUE TO HIS VISUAL IMPAIRMENT, MR. WETHERLY COULD ONLY DO SUCH TASKS AS HAD BECOME ROUTINE, AND THESE WERE ACCOMPLISHED VERY SLOWLY. HE COULD FEEL HIS WAY ABOUT THE HOUSE AND YARD, BUT HAD TO BE GUIDED ELSEWHERE. THE MENIAL TASKS HE WAS ABLE TO DO DID NOT OCCUPY HIS MIND.

(b) At Present-

HE IS ABLE TO GO DOWNTOWN ALONE AND CAN THEREFORE DO THE MARKETING. TO BE ABLE TO CALL ON A FRIEND OR NEIGHBOR WHEN HE WISHES WITHOUT HAVING TO BE TAKEN HAS GIVEN HIM A SENSE OF INDEPENDENCE. BEING ABLE TO DO SOME LIGHT WORK GIVES HIM THE SENSE OF ACCOMPLISHMENT.

What is the individual's opinion of the success of the medical care?

MR. WETHERLY IS DELIGHTED TO BE ABLE TO PERFORM MANY OF THE MINOR REPAIR JOBS ABOUT THE HOUSE. HE FEELS IT VERY IMPORTANT TO BE ABLE TO READ AGAIN WHICH MEANS HE CAN ALSO BOARD STREET CARS AND BUSES ALONE. HIS OWN EXPRESSION IS, "HOW CAN I TELL YOU WHAT IT IS LIKE TO BE ABLE ONCE AGAIN TO PICK UP THE NEWSPAPER WHEN I WANT TO AND READ IT FOR MYSELF, OR TO BE ABLE TO WALK DOWNTOWN WHENEVER I LIKE RATHER THAN TO HAVE TO FIND SOMEONE WHO NOT ONLY IS WILLING TO GO, BUT IS FREE, TOO, WHENEVER I GET THE NOTION."

Social Worker's evaluation of the social results and the individual's adjustment.

MR. WETHERLY'S VISUAL IMPAIRMENT HAD CAUSED HIM TO LOSE CONTACT WITH HIS FRIENDS AND FORMER CO-WORKERS WHEN HE BECAME DEPENDENT ON A GUIDE TO GO ABOUT OTHER THAN HIS OWN HOUSE. HE FELT USELESS, AND A BURDEN ON HIS FAMILY. HE IS NOW CHEERFUL, TAKES PART IN THE FAMILY'S ACTIVITY AND HAS RENEWED HIS FRIENDSHIPS WHICH HAD LAPSED WHEN HE BECAME BLIND. HIS FAMILY, FRIENDS, NEIGHBORS, AND PEOPLE IN THE COMMUNITY HAVE REMARKED ABOUT HIS CHANGE IN DISPOSITION AND ATTITUDE SINCE THE RESTORATION OF SIGHT.

December 15, 1947
DateM. C. Neighbors
Signature

FORM BL M30, SEPTEMBER, 1945

(Section Continued on Next Page)

Certified as a Regulation (or as
Regulations) of the

Dept of Soc-Welf:
(name of State Agency)

Connelley
(Signature)

Director
(Title)

12/26/47
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14

December 26, 1947

1297

MANUAL LETTER NO. 113

The attached revisions are to be entered in your Manual of Public Assistance Policies and Procedures and the revision numbers cancelled on the separators of the revised chapters. Revision numbers are as follows:

Continuing Services	Revision 199
Financial Procedures	Revisions 346 thru 351
Residence	Revision 58 and 59

These revisions were adopted by the Social Welfare Board on
December 19, 1947.

Section 361-22 has been revised to conform to policy stated in Sec. 670-88 to provide that where overpayment occurs during the period where aid is being paid on a conditional basis in OAS the full amount of overpayment shall be considered.

Secs. 601-00, 601-10, 601-20, 601-30, 601-40, 601-41, 601-42, 601-43, 601-44, 601-45, 601-46, 601-47, 601-48, 601-49, 601-50, and 645-21 relating to Quarterly Estimates outline in detail instructions for completing each part of the County's Quarterly Estimate. Correspondence between the SDSW and the County will be based on such sections.

Sec. 124-00 has been deleted and Sec. 123-05 has been revised to provide that aid may be continued for not more than one year where a recipient leaves the state without loss of residence.

FILED

In the office of the Secretary of State
of the State of California

DEC 29 1947

At 1:45 o'clock P. M.

FRANK W. JORDAN, Secretary of State

By *Frank W. Jordan*
Assistant Secretary of State

123-20 RETURN FROM OUT OF STATE TO COUNTY OF RESIDENCE
AFTER AID DISCONTINUED
OAS, ANB, APSB, ANC

123-20

A former recipient of aid or a child formerly receiving ANC whose aid has been discontinued for cause during absence from the State, but who has retained California residence by intent or, if a child, by the parent's intent or act and intent, would not have interrupted his California residence by such absence and aid may begin immediately upon physical return to the State. The fact that residence was retained and that need continues shall be verified.

This section is not pertinent to children receiving ANC who were born in California or to ANB or APSB recipients who became blind while California residents, as they are eligible to restoration of aid immediately upon physical return to the State regardless of loss or retention of State residence and dependent only on continuance of other eligibility status.

Neither does this section apply to children receiving ANC who were born out of California nor to minor recipients of ANB or APSB who became blind while not residents of this State, if such minors' State residence is contingent upon their own physical presence in California. (W&IC 1525, 1526, 1560, 2140, 2160, 3040, 3043, 3075, 3430, 3431, 3460)

**122-75 INTER-COUNTY TRANSFER OF AID BECAUSE OF WOMAN RECIPIENT'S
MARRIAGE
OAS, ANB, APSB, ANC**

122-75

A woman recipient of aid, or in ANC the mother or guardian, who marries a resident of another county ordinarily assumes her husband's residence as of date of marriage. Arrangements should be made by counties concerned for an inter-county transfer of aid as soon as one year of residence in the county of husband's residence has been acquired by woman. For fuller discussion of Married Woman's Residence, see Secs. 120-30, 120-32, 120-33, and 122-10. (W&IC 1526, 1560, 2140, 2161, 3042, 3075, 3433, 3460; AGO 10322, 10367, NS1016, NS1065, NS1793)

**123-00 ABSENCE OF RECIPIENT FROM STATE WITHOUT LOSS OF RESIDENCE
OAS, ANB, APSB, ANC**

123-00

A recipient of aid may leave the State for certain specific or temporary purposes without losing California residence because of his absence. Such absences are discussed fully under Sec. 121-40, etc., Absence from State Prior to Application. (W&IC 1560, 2140, 2160, 3042, 3075, 3432, 3460)

**123-05 CONTINUANCE OF AID WHILE RECIPIENT ABSENT FROM STATE
OAS, ANB, APSB, ANC**

123-05

If a recipient of OAS, ANB, APSB, or a child receiving ANC has left the state for a temporary period without loss of California residence, aid shall be continued for not more than one year following the date of departure. Recipients who are absent from the state when this section takes effect shall be required to return to California within one year in order to remain eligible for assistance.

Aid may be continued during absence from the state for longer periods in unusual circumstances. (W&IC 1560, 2140, 3075, 3460)

124-07 ABSENCE OF MINOR FROM COUNTY OF RESIDENCE
ANB, APSB, ANC

124-07

When a minor child for whom aid is requested is actually living in a different county than the one in which his residence is established by his parent, guardian, a court, or otherwise, application shall be made in the county of his established residence. Financial participation in payment of aid in such a case is based on the length of minor's residence in county of application regardless of his physical presence in a different county. (See Sec. 122-10, ANC DETERMINATION OF COUNTY OF RESIDENCE.)

So long as residence acquired in the county granting aid is not terminated by the person through whom child's residence is determined, or custody is not vacated or transferred by court order, there would be no change in residence status of the child.

Foundling on whose behalf ANC is granted retains residence in the county in which he was found, so long as his residence is determined under subdivision (d), Sec. 122-10.

In ANC, children whose county residence is determined by physical presence, under subdivision (e), Sec. 122-10, would change their residence by moving to another county. (W&IC 1560, 2140, 3075, 3460)

124-10 ABSENCE FROM COUNTY FOR TEMPORARY OR SPECIFIC PURPOSE
OAS, ANB, APSB, ANC

124-10

Absence from county of residence for specific purposes, or for temporary periods only, with intent to return to the county, does not interrupt residence already acquired in that county. Such periods are included when computing the length of county residence. (W&IC 1560, 2140, 3075, 3460)

**123-60 REAPPLICATION BY FORMER RECIPIENT WHO LOST STATE RESIDENCE
OAS, ANB, APSB, ANC****123-60**

A former recipient who has lost state residence assumes the status of a new applicant insofar as residence requirements apply. As stated in Sec. 120-00, "residence" is interpreted in accordance with definitions found in the general laws of this state. The term does not connote any particular length of residence by which eligibility to aid in this or any other state is secured. Gain or loss of residence is immediate upon union of act and intent. (W&IC 1560, 2140, 3075, 3460)

**124-05 INVESTIGATION WHILE ABSENT FROM COUNTY OF RESIDENCE
OAS, ANB, APSB, ANC****124-05**

A recipient (or a person who determines the residence of a minor in ANC, ANB or APSB) who goes to another county or counties in this state without intent to establish residence should be required to inform county of residence in detail at monthly intervals regarding his intent as to residence and of his living plan or, in ANC, that of the child if the child is absent from the county. If there is prolonged absence, county of residence may wish to request county in which such person is sojourning to contact him for assurance that need continues.

Exception to the foregoing is made when a recipient (or a person who determines the residence of a minor in ANC, ANB or APSB) temporarily leaves his county of residence, voluntarily or involuntarily, because of the necessity for evacuating from strategic areas persons whose presence is deemed dangerous or inimical to the defense of the U.S. Such person shall file with the county granting aid, at the end of each two months' period during his absence, a written statement setting forth the reason for his absence and his intent as to residence. County of residence shall notify evacuees of the foregoing requirement. (W&IC 1560, 2140, 3075, 3460)

361-22 (Continued)

361-22

established to be within the maximum until 12/21 when funds received from sale of real property made him ineligible for further aid.

The second action of the board of supervisors is reported on a Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance	1/31/48	XXX	XXX	XXX

Reason for Change

Former conditional restoration. Eligibility from 10/1/47 now established as follows:

Oct. 1, 1947 - \$60 grant - no income
 Nov. 1, 1947 - \$45 grant - \$15 income, need not above \$60
 Dec. 1, 1947 - \$60 grant - income ceased
 Dec. 31, 1947 - Ineligible further payment. Personal property resulting from sale of real property on 12/21 excessive.

Approved by the Board of Supervisors of _____ County on 1/15/48.

(Signed) _____

When the verification secured subsequent to the conditional restoration establishes that overpayment occurred during the period while aid was conditionally restored adjustment shall be made for such amount thereof as can be offset by adjustment within the current adjustment period. In the application of Secs. 361-10, Decrease in Grant, or 361-50, Discontinuance of Aid the full amount of the overpayment shall be considered irrespective of the existence of actual or constructive fraud, or mistake of fact. (See Secs. 670-88, Overpayments Resulting from Conditional Restorations in OAS.) Such action shall be taken by the board of supervisors at the first meeting after the facts have been determined.

Example 3. If in Example 1 there had been no property sale but the \$15 income which began in November was continuing income, overpayment occurred not only in November but in December and January. With no need in excess of \$60 there was an overpayment of \$45. By board of supervisors' action on 1/15/48, the grant for February would be reduced to \$15 which adjustment would take into consideration the \$15 income to be received in February and the overpayment for December and January (both of which months would be within the current adjustment period) and the grant would be increased to \$45 effective 3/1/48. (See Sec. 361-10, Decrease in Grant.) Repayment of the \$15 overpayment in November is requested. (SEE SEC. 670-88)

(Section Continued on Next Page)

361-22 (Continued)

361-22

Example 1. A recipient requests restoration on October 25. By board of supervisors' action on 11/28 aid is conditionally restored in the amount of \$60 effective November 1. The facts secured subsequent to the conditional restoration show the recipient to have been eligible to the \$60 grant made to him beginning November 1. On January 3 the investigation is completed by action of the board of supervisors certifying to the recipient's eligibility to receive aid in the amount paid from the effective date of the conditional restoration. This second action of the board of supervisors is reported on the Notice of Change as follows:

Change	Effective Date of Change	Grant	Income	Need
Decrease				
Increase				
Restoration				
Discontinuance				

Reason for Change

Former Conditional Restoration - Eligibility from 11/1/47 in the amount of \$60 now established.

Approved by the Board of Supervisors of _____ County on 1/3/48.

(Signed) _____

When the verification secured subsequent to the conditional restoration establishes eligibility (1) to a lesser amount than conditionally paid or (2) to receive aid in some but not all of the months during which aid was conditionally restored, the board of supervisors at their next meeting shall act upon the adjustment, if any, to be made in the current grant, and shall establish the amount of aid to which the recipient was eligible, as revealed by the completed investigation, during the period that aid was conditionally paid. In the upper part of Section I of the Form Ag 232 only that action which in any way changes the grant presently received shall be recorded. In the lower part of Section I under "Reason for Change" (use reverse of form if sufficient space is not available), the fact that the case had previously been conditionally restored shall be noted. Also there shall be recorded a statement of the amount the completed investigation reveals the recipient to have been eligible to receive beginning with the date the conditional restoration was effective, together with the need and the income considered in determining the amount to which the recipient was eligible.

Example 2. The request for restoration was signed on September 10. By action of 10/21 the board of supervisors conditionally restored aid from October 1 in the amount of \$60 per month to a recipient having no income and whose personal property holding had not yet been established. The investigation was not completed until action by the board of supervisors on January 15 and showed that the recipient, having no need in excess of \$60, had \$15 income in November and no income in December or thereafter. Personal property holdings were

(Section Continued on Next Page)

601-20 USE OF STATE AND FEDERAL FUNDS
OAS, ANB, APSB, ANC

601-20

Moneys in possession of a county representing amounts advanced by the state and Federal governments for the payment of OAS, ANB, APSB, ANC, and county administrative expense are accountable to the SDSW and the FSS-Administration. Therefore, special funds or special separate accounts should be set up to record the receipt of such moneys and transfers or disbursements therefrom. These funds are subject to audit by the state and Federal auditors. (W&IC 1553, 1554, 2186, 2187, 3087, 3087.1, 3480)

Warrants drawn in payment of OAS, ANB, APSB, and ANC shall not carry any reference to indigency or pauperism. The title of such funds should likewise omit any similar reference. For the sake of uniform denotation, the title, "Welfare and Security Fund" is suggested for categorical aid funds. (SEE SEC. 102-20, NO PAUPER DESIGNATION.) (W&IC 1560, 2009, 3002, 3401.5, FSS-ADMIN.)

601-30 SUBMISSION OF QUARTERLY ESTIMATE OF EXPENDITURES FOR AID AND
ADMINISTRATION
OAS, ANB, APSB, ANC

601-30

Two copies of the Claim for Estimated Quarterly Expenditures (Form Ag, B1, CA 809) should be mailed to the SDSW in time to be received not later than two and one-half (2 1/2) months prior to the beginning of the quarter covered by the estimate.

Example:

Quarter Covered By		Must Be In SDSW
Estimated Claim for Expenditures		Office By
January 1 through March 31, 1948		October 15, 1947
April 1 " June 30, 1948		January 15, 1948
July 1 " September 30, 1948		April 15, 1948
October 1 " December 31, 1948		July 15, 1948

It is imperative that the claims be received on or before the due date in order that the (OAS, ANB, APSB, and ANC) Claim for Estimated Quarterly Expenditures may be prepared and forwarded to the Federal Social Security Administration. If any county is late in submitting its estimate claims, the request for Federal funds for the entire state is delayed. (W&IC 1560, 2140, 3075, 3460)

601-00 QUARTERLY ESTIMATES OF EXPENDITURES FOR AID AND ADMINISTRATION
OAS, ANB, APSB, ANC**601-00**

Each county is required to submit a Claim for Estimated Quarterly Expenditures so that a determination can be made by the state of the amount of Federal, state and county moneys that are to be available for the payment of OAS, ANB, APSB and ANC warrants for a given period. After the estimates have been received from all counties and are audited by the state, a recapitulation is made of all counties and a Claim for Estimated Quarterly Expenditures prepared and forwarded to the Federal Social Security Administration requesting Federal funds to cover the estimated Federal share of assistance and administrative expense for all counties in the State of California. (See Secs. 601-30 through 601-60 for instructions in preparation of reports.)

State and Federal funds are forwarded to the counties monthly in advance by the State Controller's Office. The amounts advanced are based upon the Claim for Estimated Quarterly Expenditures (Form Ag, Bl, CA 809) as adjusted by the SDSW for the differences between estimates and aid claims for the second prior quarter. (W&IC 1555, 1560, 2140, 2188, 3075, 3087.2, 3460, 3481)

601-10 QUARTERLY ADJUSTMENT OF FUNDS
OAS, ANB, APSB, ANC**601-10**

Upon approval by the SDSW of the three monthly claims for aid and administrative expenditures covering a particular quarter, an adjustment of the differences between the expenditures of Federal and state funds as estimated for the quarter and the total of all audited claims for the same quarter is made.

If there is an excess in the estimate over the expenditures for the same quarter, this amount is deducted from the first monthly advance of the second subsequent estimate filed. If there is a deficiency in the estimate under the expenditures, this amount is added to the first monthly advance of the second subsequent estimate filed. When an adjustment occurs requiring a deduction greater than the first monthly advance, the adjustment is applied to subsequent advances until the total deduction had been effected. If the adjustment is greater than the estimate filed, the county is requested to forward to the SDSW a county warrant, payable to the Treasurer of the state for the balance of the adjustment. (W&IC 1555, 2188, 3087.2, 3481)

601-41 COLUMN 1, ESTIMATED NUMBER OF PERSONS
OAS, ANB, APSB, ANC

601-41

The estimated number of individuals to receive aid should be as accurate and conservative as possible. The estimate is to be based on the existing laws and allowance should be made for a normal increase or decrease in case load.

Example (Suggested method of arriving at case load):

When preparing the estimate for the quarter ending March 31, 1948, a review should be made of the claims filed for the prior four (4) months to arrive at the trend in case load.

Month	Number of Individuals Receiving Aid	Net Increase By Month
June	83	
July	87	4
August	92	5
September	95	3
	Total	<u>12</u>
	Average Monthly Increase	4

Total cases on aid during September	95
Add: Average monthly increase of 4 cases per month	
Estimated number to receive aid for October	99
Estimated number to receive aid for November	103
Estimated number to receive aid for December	107
Estimated number to receive aid for January	111
Estimated number to receive aid for February	115
Estimated number to receive aid for March	119
Quarterly Total	345

Estimated average number of persons to receive aid for the quarter ending March 31, 1948, would be 345. The monthly amounts could be shown as a monthly increase of four(4) individuals per month or the quarterly total divided among the three months equally.

	First Month	Second Month	Third Month	Quarterly Total
Number of Individuals	111	115	119	345
or Number of Individuals	115	115	115	345

The same procedure would be followed to arrive at the estimated number of eligible cases (Item a) and the estimated number of ineligible cases (Item b). The sum of Item a and Item b is shown in Item c, Col. 1.

The county may use another method of arriving at the estimated number of individuals to receive aid, as long as the estimates are as accurate as possible.

The amounts reported on the sample OAS, ANB, and ANC claims (Forms Ag, B1 and CA 800 and 801) under Sec. 629-99 were used as the basis for preparing the sample OAS, ANB, and ANC Claim for Estimated Quarterly Expenditures (Forms Ag, B1, CA 809). (W&IC 1560, 2140, 3075, 3460)

601-40 SPECIFIC INSTRUCTIONS
OAS, ANB, APSB, ANC

601-40

Instructions for preparation of Forms Ag 809, Bl 809, and CA 809 are combined because of the similarity of reports. The terms "Eligible" and "Ineligible" refer to cases eligible and ineligible to Federal participation.

In ANC, children living in boarding homes or institutions shall not be included on the Claim for Estimated Quarterly Expenditures (Form CA 809). The ineligible children referred to in this report (Form CA 809) under Col.1b refers to the children claimed on the Aid Affidavit (Form CA 800) for whom Federal eligibility requirements have not been met and should not include boarding home and institution cases. (W&IC 1560)

Since there are but a few ineligible ANB cases, for estimate purposes they are to be shown together with the APSB cases under "Ineligible". (W&IC 1560, 2140, 3075, 3460)

601-43 COLUMN 3, TOTAL ESTIMATED ASSISTANCE

601-43

OAS, ANB, APSB, ANC

The total estimated assistance should be the Estimated Number of Persons (Column 1) times Estimated Average Payment (Column 2).

	Estimated Number of Persons (Col. 1)	Estimated Average Payment (Col. 2)	Total Assistance (Col. 3)
OAS			
a. Eligible	9	\$43.13	\$388.17
b. Ineligible	3	46.00	138.00
c. Total	12		\$526.17
ANB, APSB			
a. Eligible	8	\$54.92	\$439.36
b. Ineligible	5	53.00	265.00
c. Total	13		\$704.36
ANC			
a. Eligible	41	\$34.05	\$1,396.05
b. Ineligible	10	28.42	284.20
c. Total	51		\$1,680.25

(W&IC 1560, 2140, 3075, 3460)

601-44 COLUMN 4, ASSISTANCE IN EXCESS OF FEDERAL MAXIMUM ON ELIGIBLE CASES 601-44
OAS, ANB, ANC

The maximum basis for Federal participation is \$45 for each OAS and ANB eligible case and \$24 for one and \$15 for each additional eligible child in the family for ANC. The amount of assistance granted which is more than the Federal maximum is considered as "Excess." (SEE SEC. 601-99, ESTIMATE FORMS)

Example:

	Amount of Excess	
OAS	\$ 42.00	(Col. 4, Form Ag 801)
ANB	103.33	(Col. 4, Form Bl 801)
ANC	1,396.06	Basis for state participation (Eligible, Col. 5a, Form CA 801)
Less	706.39	Basis for Federal Participation (Col. 6, Form CA 801)
	\$ 689.67	Excess

For estimate purposes, show excess in whole dollars.

A percentage may be taken from your claims for the last quarter to determine what percentage of the total aid paid is in excess of the Federal basis.

Example:

OAS	Total Aid Paid	Amount of Excess
July	\$ 498.50	\$ 34.00
August	502.75	37.50
September	526.17	42.00
Total	\$1,527.42	divided into \$ 113.50 equals 7.43%

If the estimated total expenditures for aid for the first month is \$560.00, the Estimated Amount of Excess would be 7.43% of \$560.00 = \$41.60 or \$42.00. (W&IC 1560, 2140, 3075, 3460)

601-42 COLUMN 2, ESTIMATED AVERAGE PAYMENT
OAS, ANB, APSB, ANC

601-42

A review is made of the claims for the last quarter available to determine the average monthly grant for the eligible individuals and the average monthly grant for the ineligible individuals. The last digit of the average payment should be a whole number. Consideration is then made of the law in effect during the period covered by the claims and the law in effect for the period covered by the current estimate. For example, when the estimates for the quarter ending December 31, 1947, were prepared, the comparison would have been made with the claims for the quarter ending June 30, 1947.

Example:

OAS

	Number	Number	Amount	Amount
Last Monthly	Eligible	Ineligible	Paid To	Paid To
Claim Filed	Persons	Persons	Eligible	Ineligible
			Persons	Persons
April	4133	3	\$220,594.10	\$ 165.00
May	4188	1	223,175.69	55.00
June	4191	3	223,748.10	165.00
Total	12512	7	\$667,517.89	\$ 385.00

Average Payment for Eligible Persons \$53.35
Average Payment for Ineligible Persons \$55.00

Since the maximum grant for OAS increased from \$55.00 to \$60.00 effective August 1, 1947, the average payment would be increased \$5.00 on the estimate for the quarter ending December 31, 1947, making the average eligible payment \$58.35 and the average ineligible payment \$60.00.

The average payment must not exceed the State Basis for Participation.

	Maximum State Basis
OAS	\$60.00
ANB and APSB	75.00
ANC-Eligible First Child	85.50
" Eligible Additional Children	45.00
ANC-Ineligible* First Child	72.00
" Ineligible* Additional Children	36.00
*Ineligible to Federal Participation	

(W&IC 1560, 2140, 3075, 3460)

601-47 COLUMNS 9, 10 AND 11. FEDERAL SHARE
OAS, ANB, ANC

601-47

OAS, ANB

Column 9, Federal Share of Assistance

In OAS and ANB, the maximum Federal Share of Assistance is \$25.00

Example:

There is no Federal Participation in the APSB program.

Method of arriving at maximum Federal Share.

2/3 of \$15 = \$10.00

Plus 1/2 of (\$45 less \$15) \$30 = 15.00

Maximum Federal basis \$45

Maximum Federal Share = \$25.00

The short formula is used in computing the estimated Federal Share, that is,

1/2 of \$45 (Federal basis for participation) = \$22.50
plus 2.50 (For each eligible person)

Maximum Federal Share \$25.00

The short formula is to be used when computing the estimated Federal share of assistance.

OAS

Total Eligible Persons (Col. 1a) 9 times \$2.50 =	\$ 22.50
Plus 1/2 of Basis for Federal Participation (Col. 5) \$346.17 =	173.08
Total Federal Share of Assistance (Col. 9)	\$195.58

ANB

Total Eligible Persons (Col 1a) 8 times \$2.50 =	\$ 20.00
Plus 1/2 of Basis for Federal Participation (Col. 5) \$335.36 =	167.68
Total Federal Share of Assistance (Col. 9)	\$187.68

ANC

In ANC the maximum Federal Share of Assistance is \$13.50 for one child and \$9.00 for each additional eligible child in the family budget unit.

Method of arriving at maximum Federal share

One Eligible Child		Additional Eligible Children	
2/3 of \$9.00 =	\$ 6.00	2/3 of \$9.00 =	\$6.00
Plus 1/2 of (\$24 less \$9) \$15 =	7.50	Plus 1/2 of (\$15 less \$9) \$6 =	3.00
Maximum Federal basis \$24		Maximum Federal basis \$15	
Maximum Federal Share	\$13.50	Maximum Federal Share	\$9.00

The short formula is used in computing the estimated Federal Share, that is, 1/2 of \$39.00 (\$24 plus \$15 = \$39) Federal Basis for Participation = \$19.50
Plus 2 (Number of Eligible Children) times \$1.50 = 3.00
Federal Share \$22.50

(Section Continued on Next Page)

601-45 COLUMN 5, BASIS FOR FEDERAL PARTICIPATION
OAS, ANB, ANC

601-45

OAS, ANB

The maximum amount the Federal government participates in payments made to OAS and ANB recipients is \$45.00. The amount of aid granted over \$45.00 is considered excess. To arrive at the "Basis for Federal Participation", the amount of assistance granted in excess of \$45.00 reported for Eligible Cases (Col. 4) is deducted from the Total Assistance for Eligible Persons (Col. 3a).

Example:

	OAS	ANB
Total Assistance-Eligible (Col. 3a)	\$388.17	\$439.36
Excess (Col. 4)	42.00	104.00
Basis for Federal Participation (Col. 5)	\$346.17*	\$335.36*

*Basis for Federal Participation for OAS and ANB cannot exceed the number of eligible persons (Col. 1a) times \$45.00.

ANC

The maximum amount the Federal government participates in payments made for ANC is \$24.00 for one child and \$15 for each additional eligible child in the family budget unit. To arrive at the "Basis for Federal Participation", the amount of assistance granted in excess of \$24.00 for one child and \$15.00 for each additional child (Col. 4) is deducted from the amount of Total Assistance for Eligible Children (Col. 3a).

Example:

Total Assistance Eligible (Col. 3a)	\$1,396.05
Less: Excess (Col. 4)	690.00
Basis for Federal Participation (Col. 5)	\$ 706.05*

*Basis for Federal participation for ANC cannot exceed the number of eligible first children times \$24.00 plus the number of eligible additional children times \$15.00.

(W&IC 1560, 2140, 3075, 3460)

601-46 COLUMNS 6, 7 AND 8. ADMINISTRATIVE EXPENSE
OAS, ANB, APSB, ANC

601-46

The Administrative Expense Worksheets (Forms DFA 64, DFA 64A) are to be used as a guide in estimating the amount of administrative expense. Enter the estimated amount of administrative expense eligible to Federal participation under Col. 6 and the estimated amount of administrative expense ineligible to Federal participation under Col. 7. The Total Administrative Expense (Col. 8) is the total of Cols. 6 and 7. (W&IC 1560, 2140, 3075, 3460)

601-48 COLUMN 12, STATE SHARE
OAS, ANB, APSB, ANC

601-48

OAS

Method of arriving at State Share for OAS:

Total Estimated Assistance (Col. 3c)	\$526.17
Less: Federal Share of Assistance (Col. 9)	195.58
6/7 of Balance	330.59
is State Share	\$283.36 (Show in Col. 12)

ANB, APSB

Method of arriving at State Share for ANB and APSB:

Total Estimated Eligible Assistance (Col. 3a)	\$439.36
Less: Federal Share of Assistance (Col. 9)	187.68
3/4 of this balance	\$251.68
is State Share of ANB cases	\$188.76
Plus 5/6 of APSB cases (Col. 3b) \$265.00 =	220.83
Total State Share	\$409.59
(Show in Col. 12)	

ANC

Method of arriving at State Share for ANC:

Total Estimated Assistance (Col. 3c)	\$1,680.25
Less: Federal Share of Assistance (Col. 9)	414.53
2/3 of this balance	\$1,265.72
is State Share	843.81 (Show in Col. 12)

In order that the total amount claimed for the quarter is mathematically correct, adjustments of one cent should be made, if necessary, on the monthly Federal and state shares. (SEE FORM AG 809 IN SEC. 601-99, ESTIMATE FORMS)

Example:

		Total	Federal	State	County
1st Month	a. \$	388.17			
	b.	138.00			
	c. \$	526.17	\$ 195.58	\$ 283.36	\$ 47.23
2nd Month	a. \$	388.17			
	b.	138.00			
	c. \$	526.17	195.59	283.36	47.22
3rd Month	a. \$	388.17			
	b.	138.00			
	c. \$	526.17	195.59	283.35	47.23
Total	a. \$	1,164.51			
	b.	414.00			
	c. \$	1,587.51	\$ 586.76	\$ 850.07	\$ 141.68

(Section Continued on Next Page)

601-47 (Continued)

601-47

The short formula is to be used when computing the estimated Federal Share of Assistance.

Total Eligible Children (Col. 1a) 41 times \$1.50 =	\$ 61.50
Plus 1/2 of Basis For Federal Participation (Col. 5) \$706.05 =	353.03
Total Federal Share of Assistance (Col. 9)	<u>\$414.53</u>

Column 10, Federal Share of Administrative Expense
OAS, ANB, ANC

The Federal government shares one-half (1/2) of the estimated eligible administrative expense.

Enter in Col. 10, "Federal Share of Administrative Expense" ~~one-half~~ (1/2) of the amount reported in Col. 6, "Administrative Expense Eligible to Federal."

Column 11, Total Federal Share
OAS, ANB, ANC

The Total Federal Share is Total Federal Share of Assistance, Column 9, plus the Total Federal Share of Administrative Expense, Col. 10. (W&IC 560, 2140, 3075, 3460)

601-50 COMPLETENESS OF CLAIM FOR ESTIMATED QUARTERLY EXPENDITURES
OAS, ANB, APSC, ANC

691-50

Since there is but a limited time for the state to audit the county Claim for Estimated Quarterly Expenditures, it is imperative that the estimate claims be complete and accurate.

If the signature of the chairman of the board of supervisors cannot be obtained in time for your estimates (Form Ag, Bl, CA 809) to reach the SDSW by the due date, the duplicate copy of each estimate shall be submitted immediately without the chairman's signature and as soon as the signature is obtained, the original copy shall be submitted to SDSW. Every effort shall be made to obtain all signatures immediately, as the request for Federal funds to Washington cannot be submitted by the SDSW until all county reports are complete. A rubber-stamped signature is not acceptable.

If the signature on the estimate of the director or official in charge is acknowledged by a person other than the county clerk or his deputy, the official seal shall be affixed to all copies.

Since the signature of the director or official in charge is signed under oath, a proxy signature is not acceptable. (W&IC 1560, 2140, 3075, 3460)

601-60 STATEMENT OF CASH ADVANCES
OAS, ANB, APSB, ANC

601-60

A Statement of Cash Advances (Form DFA 44) is sent to the counties after the Claim for Estimated Quarterly Expenditures is audited and approved. The statement shows the Federal and state share approved for the current quarter, adjustments for the second prior quarter estimates and the amount to be advanced to the county for each month in the current quarter. The county financial records should be reconciled to the Statement of Cash Advances so that the state and county records are in agreement. Questions should be cleared with the SDSW immediately. (W&IC 1560, 2140, 3075, 3460)

601-48 (Continued)

601-48

Even though the monthly totals were the same, the Federal and state shares were changed so that the quarterly totals would be in agreement.

Total Eligible Cases 27 x \$2.50 = \$ 67.50
 Plus 1/2 of (Total Federal Basis for Participation) \$1,038.51 = 519.26
 Total Federal Share \$586.76

Total Assistance \$1,578.51
 Less: Total Federal 586.76
 \$ 991.75

6/7 of \$991.75 or \$850.07 is State Share
 1/7 of \$991.75 or \$141.68 is County Share
 (W&IC 1560, 2140, 3075, 3460)

601-49 CERTIFICATION OF COUNTY FUNDS

601-49

OAS, ANB, APSB, ANC

The Federal Government requires that the county auditor certify that the county share of assistance and administrative expense has been appropriated or made available from county funds.

A. County Share of Assistance

	OAS	ANB, APSB	ANC
Total Assistance (Total Col. 3c)	\$1,578.51	\$2,113.08	\$5,040.75
Less: Federal Share (Total Col. 9)	586.76	563.04	1,243.58
State Share (Total Col. 12)	850.07	1,228.78	2,531.45
County Share	\$ 141.68	\$ 321.26	\$1,265.72

B. County Share of Administration

	OAS	ANB, APSB	ANC
Total Administration (Total Col. 8)	\$75.00	\$90.00	\$450.00
Less Federal Share (Total Col. 10)	30.00	33.75	187.50
County Share	\$45.00	\$56.25	\$262.50

(W&IC 1560, 2140, 3075, 3460)

601-99

FINANCIAL PROCEDURES--Estimates, Advances & Expenditures

Public Assistance Program

601-99 (Continued)

601-99

STATE OF CALIFORNIA
FORM BL 809

AID TO THE BLIND

CLAIM FOR ESTIMATED QUARTERLY EXPENDITURES

FORWARD TWO COPIES TO
STATE DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO 14, CALIFORNIAFROM XXX COUNTY
FOR THE QUARTER BEGINNING January 1, 1948 AND ENDING March 31, 1948

	Estimated Number of Persons	Estimated Average Payment	Total Assistance (Col. 1 x Col. 2)	Assistance in Excess of \$45 on Eligible Cases	FOR STATE USE ONLY	
	Col. 1	Col. 2	Col. 3	Col. 4	ADVANCE APPROVED--STATE DEPARTMENT OF SOCIAL WELFARE	SUPERVISOR, BUREAU OF AUDITS
FIRST MONTH	A. Eligible <u>8</u>	A. \$54.92	A. \$439.36			
	B. Ineligible <u>5</u>	B. \$53.00	B. \$265.00			
	C. Total <u>13</u>		C. \$704.36	\$ 104.00		
	(Item A plus Item B)					
SECOND MONTH	A. Eligible <u>8</u>	A. \$54.92	A. \$439.36		DATE	By
	B. Ineligible <u>5</u>	B. \$53.00	B. \$265.00			
	C. Total <u>13</u>		C. \$704.36	\$ 104.00		
	(Item A plus Item B)					
THIRD MONTH	A. Eligible <u>8</u>	A. \$54.92	A. \$439.36			
	B. Ineligible <u>5</u>	B. \$53.00	B. \$265.00			
	C. Total <u>13</u>		C. \$704.36	\$ 104.00		
	(Item A plus Item B)					
TOTAL	A. Eligible <u>24</u>	X	A. \$1,318.08			
	B. Ineligible <u>15</u>		B. \$ 795.00			
	C. Total <u>39</u>		C. \$2,113.08	\$ 312.00		
	(Item A plus Item B)					

	Basis for Federal Participation (Col. 3A less Total Col. 4)	Administrative Expense Eligible to Federal	Administrative Expense Ineligible to Federal	Total Administrative Exp. (Total Cols. 6 and 7)
	Col. 5	Col. 6	Col. 7	Col. 8
FIRST MONTH	\$ 335.36	\$ 22.50	\$ 7.50	\$ 30.00
SECOND MONTH	\$ 335.36	\$ 22.50	\$ 7.50	\$ 30.00
THIRD MONTH	\$ 335.36	\$ 22.50	\$ 7.50	\$ 30.00
TOTAL	\$1,006.08	\$ 67.50	\$22.50	\$ 90.00
	Federal Share of Assist. Tot. Elig. Persons (Col. 1A) times \$2.50 plus 1/2 of Col. 5)	Federal Share of Administrative Expense (1/2 of Col. 6)	SOCIAL WELFARE FUND Total Federal Share (Col. 9 plus Col. 10)	STATE GENERAL FUND (State share) (Col. 3A less Col. 9. 3/4 of this balance is State Share plus 5/6 of Item B, Col. 3)
FIRST MONTH	Col. 9 \$ 187.68	Col. 10 \$ 11.25	Col. 11 \$ 198.93	Col. 12 \$ 409.59
FOR STATE USE ONLY				
SECOND MONTH	\$ 187.68	\$ 11.25	\$ 198.93	\$ 409.59
FOR STATE USE ONLY				
THIRD MONTH	\$ 187.68	\$ 11.25	\$ 198.93	\$ 409.60
FOR STATE USE ONLY				
TOTAL	\$ 563.04	\$ 33.75	\$ 596.79	\$1,228.78
FOR STATE USE ONLY				

I HEREBY CERTIFY THAT the county share has been appropriated or made available from county funds.

ASSISTANCE \$ 321.26ADMINISTRATION \$ 56.25

Total (Col. 3C) less Federal and State Shares (Col. 9 and 12)

Total (Col. 8) less Federal Share (Col. 10)

STATE OF CALIFORNIA

COUNTY OF XX

ss.

M. R. Paine
Signature of County Auditor

Alice Doe being duly sworn, deposes and says: That she is the county official responsible for the administration of Aid to the Blind in and for the said county; that the above is a true and correct statement of the estimated expenditures under Chapters 1 and 3 of Part 1 of Division 5 of the Welfare and Institutions Code, and amendments thereto, and Title X of the Social Security Act, and amendments thereto, and that the provisions of same will be complied with in the expenditures of these funds. Affiant request that the Federal and State grants shown above be advanced to the said county, subject to adjustment by the State Department of Social Welfare.

Subscribed and sworn to before me this first day
of October 1947

Alice Doe
Signature of Director or Official in ChargeTitle Deputy County ClerkTitle Welfare DirectorApproved: R. R. Richards
Chairman, Board of Supervisors

Form BL 809 (Revised) September, 1947

C A S H

601-99 ESTIMATE FORMS

601-99

STATE OF CALIFORNIA
FORM AG 809OLD AGE SECURITY
CLAIM FOR ESTIMATED QUARTERLY EXPENDITURESFORWARD TWO COPIES TO
STATE DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO 14, CALIFORNIA

FROM XX COUNTY

FOR THE QUARTER BEGINNING JANUARY 1, 1948 AND ENDING MARCH 31, 1948

	ESTIMATED NUMBER OF PERSONS	ESTIMATED AVERAGE PAYMENT	TOTAL ASSISTANCE (COL. 1 X COL. 2)	ASSISTANCE IN EXCESS OF \$45 ON ELIGIBLE CASES	FOR STATE USE ONLY		
	COL. 1	COL. 2	COL. 3	COL. 4	ADVANCE APPROVED--STATE DEPARTMENT OF SOCIAL WELFARE	SUPERVISOR, BUREAU OF AUDITS	DATE
FIRST MONTH	A. ELIGIBLE 9 B. INELIGIBLE 3 C. TOTAL 12 (ITEM A PLUS ITEM B)	A. \$ 43.13 B. \$ 46.00	A. \$ 388.17 B. \$ 138.00 C. \$ 526.17	\$ 42.00			
SECOND MONTH	A. ELIGIBLE 9 B. INELIGIBLE 3 C. TOTAL 12 (ITEM A PLUS ITEM B)	A. \$ 43.13 B. \$ 46.00	A. \$ 388.17 B. \$ 138.00 C. \$ 526.17	\$ 42.00			
THIRD MONTH	A. ELIGIBLE 9 B. INELIGIBLE 3 C. TOTAL 12 (ITEM A PLUS ITEM B)	A. \$ 43.13 B. \$ 46.00	A. \$ 388.17 B. \$ 138.00 C. \$ 526.17	\$ 42.00			
TOTAL	A. ELIGIBLE 27 B. INELIGIBLE 9 C. TOTAL 36 (ITEM A PLUS ITEM B)		A. \$ 1,164.51 B. \$ 414.00 C. \$ 1,578.51	\$ 126.00			

	BASIS FOR FEDERAL PARTICIPATION (COL. 3A LESS TOTAL COL. 4)	ADMINISTRATIVE EXPENSE ELIGIBLE TO FEDERAL	ADMINISTRATIVE EXPENSE INELIGIBLE TO FEDERAL	TOTAL ADMINISTRATIVE EXPENSE (TOTAL COLS. 6 AND 7)
	COL. 5	COL. 6	COL. 7	COL. 8
FIRST MONTH	\$ 346.17	\$ 20.00	\$ 5.00	\$ 25.00
SECOND MONTH	\$ 346.17	\$ 20.00	\$ 5.00	\$ 25.00
THIRD MONTH	\$ 346.17	\$ 20.00	\$ 5.00	\$ 25.00
TOTAL	\$ 1,038.51	\$ 60.00	\$ 15.00	\$ 75.00

	FEDERAL SHARE OF ASSISTANCE (TOTAL ELIGIBLE PERSONS (COL. 1A TIMES \$2.50 PLUS 1/2 OF COL. 5)	FEDERAL SHARE OF ADMINISTRATIVE EXPENSE (1/2 OF COL. 6)	SOCIAL WELFARE FUND TOTAL FEDERAL SHARE (COL. 9 PLUS COL. 10)	STATE GENERAL FUND STATE SHARE (COL. 3C LESS COL. 9 6/7 OF THIS BALANCE IS STATE SHARE)
	COL. 9	COL. 10	COL. 11	COL. 12
FIRST MONTH	\$ 195.58	\$ 10.00	\$ 205.58	\$ 283.36
FOR STATE USE ONLY				
SECOND MONTH	\$ 195.59	\$ 10.00	\$ 205.59	\$ 283.36
FOR STATE USE ONLY				
THIRD MONTH	\$ 195.59	\$ 10.00	\$ 205.59	\$ 283.35
FOR STATE USE ONLY				
TOTAL	\$ 586.76	\$ 30.00	\$ 616.76	\$ 850.07
FOR STATE USE ONLY				

I HEREBY CERTIFY THAT THE COUNTY SHARE HAS BEEN APPROPRIATED OR MADE AVAILABLE FROM COUNTY FUNDS.

ASSISTANCE \$ 14.68
TOTAL (COL. 3C) LESS FEDERAL AND STATE SHARES (COLS. 9 AND 12)ADMINISTRATION \$ 45.00
TOTAL (COL. 8) LESS FEDERAL SHARE (COL. 10)STATE OF CALIFORNIA } ss.
COUNTY OF XX

SIGNATURE OF COUNTY AUDITOR

ALICE DOE BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS THE COUNTY OFFICIAL RESPONSIBLE FOR THE ADMINISTRATION OF OLD AGE SECURITY IN AND FOR THE SAID COUNTY; THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF THE ESTIMATED EXPENDITURES UNDER THE OLD AGE SECURITY LAW, CHAPTER 1 OF DIVISION 3 OF THE WELFARE AND INSTITUTIONS CODE, AND AMENDMENTS THERETO, AND TITLE I OF THE SOCIAL SECURITY ACT, AND AMENDMENTS THERETO, AND THAT THE PROVISIONS OF SAME WILL BE COMPLIED WITH IN THE EXPENDITURE OF THESE FUNDS. AFFRANT REQUESTS THAT THE FEDERAL AND STATE GRANTS SHOWN ABOVE BE ADVANCED TO THE SAID COUNTY, SUBJECT TO ADJUSTMENT BY THE STATE DEPARTMENT OF SOCIAL WELFARE.

SUBSCRIBED AND SWORN TO BEFORE ME THIS FIRST DAY
OF OCTOBER 1947SIGNATURE OF DIRECTOR OR OFFICIAL
IN CHARGETITLE
Deputy County ClerkTITLE
WELFARE DIRECTOR
APPROVED: CHAIRMAN, BOARD OF SUPERVISORS

STATE OF CALIFORNIA		AID TO NEEDY CHILDREN			FORM CA 809	
FOR THE QUARTER BEGINNING		CLAIM FOR ESTIMATED QUARTERLY EXPENDITURES			FORWARD TWO COPIES TO	
FROM XX		COUNTY			STATE DEPARTMENT OF SOCIAL WELFARE	
JANUARY 1, 1948		AND ENDING MARCH 31, 1948			SACRAMENTO 14, CALIFORNIA	
ESTIMATED NUMBER OF CHILDREN	ESTIMATED AVERAGE PAYMENT	TOTAL ASSISTANCE (COL. 1 X COL. 2)	ASSISTANCE IN EXCESS OF \$24 FOR ONE & \$15 FOR EACH ADDITIONAL CHILD	FOR STATE USE ONLY		
COL. 1	COL. 2	COL. 3	COL. 4	ADVANCE APPROVED-- STATE DEPARTMENT OF SOCIAL WELFARE	SUPERVISOR, BUREAU OF AUDITS	DATE
FIRST MONTH	A. \$ 34.05 B. \$ 28.42 C. TOTAL 51 (ITEM A PLUS ITEM B)	A. \$ 1,396.05 B. \$ 284.20 C. \$ 1,680.25	\$ 690.00			
SECOND MONTH	A. \$ 34.05 B. \$ 28.42 C. TOTAL 51 (ITEM A PLUS ITEM B)	A. \$ 1,396.05 B. \$ 284.20 C. \$ 1,680.25	\$ 690.00			
THIRD MONTH	A. \$ 34.05 B. \$ 28.42 C. TOTAL 51 (ITEM A PLUS ITEM B)	A. \$ 1,396.05 B. \$ 284.20 C. \$ 1,680.25	\$ 690.00			
TOTAL	A. ELIGIBLE 123 B. INELIGIBLE 30 C. TOTAL 153 (ITEM A PLUS ITEM B)	A. \$ 4,188.15 B. \$ 852.60 C. \$ 5,040.75	\$ 2,070.00			
BASIS FOR FEDERAL PARTICIPATION (COL. 3A LESS TOTAL COL. 4)		ADMINISTRATIVE EXPENSE ELIGIBLE TO FEDERAL	ADMINISTRATIVE EXPENSE INELIGIBLE TO FEDERAL	TOTAL ADMINISTRATIVE EXPENSE (TOTAL COLS. 6 AND 7)		
FIRST MONTH	COL. 5	COL. 6	COL. 7	COL. 8		
SECOND MONTH	\$ 706.05	\$ 125.00	\$ 25.00	\$ 150.00		
THIRD MONTH	\$ 706.05	\$ 125.00	\$ 25.00	\$ 150.00		
TOTAL	\$ 2,118.15	\$ 375.00	\$ 75.00	\$ 450.00		
FEDERAL SHARE OF ASSISTANCE (TOTAL ELIGIBLE CHILD (COL. 1A) TIMES \$1.50 PLUS 1/2 OF COL. 5)		FEDERAL SHARE OF ADMINISTRATIVE EXPENSE (1/2 OF COL. 6)	SOCIAL WELFARE FUND TOTAL FEDERAL SHARE (COL. 9 PLUS COL. 10)	STATE GENERAL FUND (STATE SHARE) (COL. 3C LESS COL. 9.2/3 OF THIS BALANCE IS STATE SHARE)		
FIRST MONTH	COL. 9	COL. 10	COL. 11	COL. 12		
FOR STATE USE ONLY	\$ 414.53	\$ 62.50	\$ 477.03	\$ 843.81		
SECOND MONTH	\$ 414.53	\$ 62.50	\$ 477.03	\$ 843.82		
FOR STATE USE ONLY	\$ 414.52	\$ 62.50	\$ 477.02	\$ 843.82		
TOTAL	\$ 1,243.58	\$ 187.50	\$ 1,431.08	\$ 2,531.45		
I HEREBY CERTIFY THAT THE COUNTY SHARE HAS BEEN APPROPRIATED OR MADE AVAILABLE FROM COUNTY FUNDS.						
ASSISTANCE \$ 1,265.72		ADMINISTRATION \$ 262.50				
TOTAL (COL. 3C) LESS FEDERAL AND STATE SHARES (COLS. 9 AND 12)		TOTAL (COL. 8) LESS FEDERAL SHARE (COL. 10)				
STATE OF CALIFORNIA) COUNTY OF XX) SS.		M. R. Paine SIGNATURE OF COUNTY AUDITOR				
ALICE DOE BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS THE COUNTY OFFICIAL RESPONSIBLE FOR THE ADMINISTRATION OF AID TO NEEDY CHILDREN IN AND FOR THE SAID COUNTY; THAT THE ABOVE IS A TRUE AND CORRECT STATEMENT OF THE ESTIMATED EXPENDITURES UNDER THE PROVISIONS OF CHAPTER 1 OF PART 2 OF DIVISION 2 OF THE WELFARE AND INSTITUTIONS CODE, AND AMENDMENTS THERETO, AND TITLE IV OF THE SOCIAL SECURITY ACT, AND AMENDMENTS THERETO, AND THAT THE PROVISIONS OF SAME WILL BE COMPLIED WITH IN THE EXPENDITURE OF THESE FUNDS. AFFIANT REQUESTS THAT THE FEDERAL AND STATE GRANTS SHOWN ABOVE BE ADVANCED TO THE SAID COUNTY, SUBJECT TO ADJUSTMENT BY THE SDSW.						
SUBSCRIBED AND SWORN TO BEFORE ME THIS FIRST DAY						
OF OCTOBER 1947		SIGNATURE OF DIRECTOR OR OFFICIAL IN CHARGE				
Mae Brown		WELFARE DIRECTOR				
TITLE DEPUTY COUNTY CLERK		APPROVED: R. X. Richards				
FORM CA 809 (REVISED) SEPTEMBER, 1947		CHAIRMAN, BOARD OF SUPERVISORS				

645-26 EXPENDITURES FOR COMMISSARIES
GR

645-26

Commissary costs shall be determined and handled as direct charges to this activity where readily determinable. They may be reported on the Administrative Expense Worksheets (Forms DFA 64 and 64A) under the caption "Commissary" or the OWP column may be used.

Joint expenditures applicable to the categorical aid programs only will be allocated as such.

Only expenditures for Salaries and Wages, Maintenance and Operations, and Capital Outlay by which all welfare programs and the commissary benefit, shall be treated as overall expenses. An example of the latter would be the salary of a county welfare director who is responsible for the operation of all welfare programs including the commissary. (W&IC 1561, 2140, 3091; FSS-ADMIN.)

645-31 EXPENDITURES FOR EYE EXAMINATIONS
ANB

645-31

Federal participation may be claimed for cost of required eye examinations for aid to the blind. (SEE SECS. 235-00, PHYSICIAN'S REPORTS OF EYE EXAMINATION, AND 645-02 EXPENDITURES FOR PURPOSES OF ADMINISTRATION.)

In connection with an application for ANB, the SDSW requires the first examination and if the applicant, at his own expense, submits a second report which is in conflict with the first, then the SDSW requires a third or resolving report. Accordingly, reimbursement may be claimed for the first and third examinations, and any additional examinations which the SDSW may require. If an examination is required at time of reinvestigation and the recipient, at his own expense, submits a second report which is in conflict with the first, a third report is required to resolve the conflict. Reimbursement may be claimed for the first and third such examinations and for any additional examinations which the SDSW may require.

Necessary expenses to county for transporting an applicant for or recipient of ANB to obtain the required eye examination (SEE SECS. 180-15, DETERMINATION OF DEGREE OF BLINDNESS, AND 180-50, REEXAMINATION OF EYES TO DETERMINE CONTINUED ELIGIBILITY) are administrative expenses, subject to Federal reimbursement provided;

1. The applicant or recipient is not financially able to meet such costs, and
2. There is no accessible ophthalmologist on the panel in the county and the person must be transported to another county or state, or

(Section Continued on Next Page)

645-21 (Continued)

645-21

2. The services performed are a distinct and additional function of a type customarily performed as a function of the county welfare department and not a type performed as part of the regular service rendered by such outside agency to other agencies, and a unit of such outside agency performs the service as its sole function and operates as an integral part of the county welfare department;
3. Amounts were expended by a civil service agency for extra identifiable services relating to the establishment and maintenance of personnel standards on a merit basis for the county welfare department as required by rules and regulations of the merit system. They shall include only such special services as are rendered primarily for the county welfare department, and, under existing practice, would not be rendered as a regular service. (W&IC 1560, 2140, 3075, FSS-ADMIN.)

645-25 EXPENDITURES FOR CWS
CWS

645-25

In those counties where contracts have been approved for the employment of CWS workers, the amount of a CWS worker's salary chargeable to CWS shall be determined on the basis of effort expended. If the amount so determined is less than the amount received for CWS from the U. S. Children's Bureau, an amount equivalent to the amount received from the U. S. Children's Bureau shall be charged to CWS and the balance of the worker's salary shall be apportioned among all other programs on the basis of the effort expended excluding CWS.

The minimum amount charged to CWS shall be that amount reimbursed to the county by the SDSW from the U. S. Children's Bureau funds. In those counties where the entire cost is borne by Federal funds, the entire salary shall be included in the CWS category. (FSS-ADMIN.)

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Earl Warren
Governor

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG

DIRECTOR

December 26, 1947

SOCIAL WELFARE BOARD

BEN KOENIG, CHAIRMAN
1680 NORTH VINE STREET
LOS ANGELES

MRS. RUBY BACIGALUPI

1870 JACKSON STREET

SAN FRANCISCO

JOHN C. CUNEO

922 J STREET

MODESTO

GERALD C. KEPPLER

135 NORTH BRIGHT AVENUE

WHITTIER

REV. THOMAS H. MARKHAM

409 NATIVE SONS' BUILDING

SACRAMENTO

JOHN T. MARTIN

1170 SEVENTH AVENUE

SAN DIEGO

MRS. JESSIE S. WILLIAMSON

2816 OAK KNOLL TERRACE

BERKELEY

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

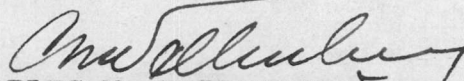
IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of the following regulations issued by the State Department of Social Welfare with Adoption Manual Letter No. 8.

These regulations were adopted by the Social Welfare Board pursuant to the powers conferred upon it under Section 103 of the W&I Code and are filed under section 11381 of the Government Code.

Very sincerely yours,



CHARLES M. WOLLENBERG, Director
Department of Social Welfare

206:b5
Attachments

RECEIVED
SACRAMENTO, CALIF.

1947 DEC 31 AM 9 00

FRANK M. JORDAN
SECRETARY OF STATE
STATE OF CALIFORNIA

Certified as a Regulation (or as
Regulations) of the

Dept of Social Wel.
(Name of State Agency)

Wm. Blumhug
(Signature)

Director
(Title)

12/30/47
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE

616 K STREET
SACRAMENTO 14
December 30, 1947

126

ADOPTION MANUAL LETTER NO. 8

The attached revision numbers 42 through 47 are to be entered in your copy of the Adoption Manual and revision numbers cancelled in the place provided on the inside Manual cover. These revisions were approved by the Social Welfare Board on December 19, 1947.

Section 2118-00 is a new section giving an outline for Court Report on Independent Adoptions.

Section 2122-00 is also a new section and gives an outline for Court Report by Adoption agency's Placing Child and Joining in Petition.

An Index to the Adoption Manual is being issued herewith and should be placed at the front of the Manual.

Item 13 of the Adoption Manual Appendix has been revised with the addition of Section 1183.5 of the Civil Code.

FILED

in the office of the Secretary of State
of the State of California

DEC 31 1947

At 9 o'clock A M.

FRANK M. JORDAN, Secretary of State

By

Frank M. Jordan
Assistant Secretary of State

2115-00 (Continued)

2115-00

obstacle cannot be cleared within that time, a second request may be filed asking for an additional period, not to exceed ninety days. The total extensions requested should not ordinarily exceed 180 days, or a total investigation period of 365 days. If the obstacle is not cleared by that time, the final report shall be filed, with recommendation of denial without prejudice if that is deemed advisable.

There may be exceptions, including the following:

1. If the woman petitioner is pregnant, it may be necessary to ask for an extension beyond the additional 180 days, pending the birth of the child.
2. If there is a health condition which is in process of being cleared, for example, awaiting a negative serological, further extension may be requested.

If it is necessary to request a longer extension, report of the circumstances shall be sent to the Adoption Bureau.

2118-00 OUTLINE FOR COURT REPORT - INDEPENDENT ADOPTIONS

2118-00

No information shall be included in the court report unless it is substantiated elsewhere in the case record through correspondence, questionnaire, narrative, or otherwise.

A. Opening Paragraph

1. The following paragraph may be used in all cases in which the final report is the first report filed with the court:

"The State Department of Social Welfare, in conformity with Sec. 226 of the Civil Code of California, presents its report in the matter of the adoption of _____, by _____ and _____."

2. The following paragraph may be used when a preliminary report (no longer used) has been filed in the past and the case is being re-opened:

"Petition in the matter of the adoption of _____ was filed in the Superior Court of _____ County, California on _____ by _____ and _____. On the _____ day of _____, a preliminary report was submitted by the State Department of Social Welfare.

"The State Department of Social Welfare is now submitting its final report in accordance with Sec. 226 of the Civil Code of California."

(Section Continued on Next Page)

2115-00 (Continued)

2115-00

C. Procedure for Securing Extensions

1. Address written request to the court, giving explanation of necessity for such extension of time (Form Adop M19).
2. Submit the request, together with three copies of the form, for authorization of the extensions (Form Adop M34). This should be directed to the county clerk, with one copy to the attorney for the petitioners, and the clerk should be instructed to retain one copy of the authorization for his files.
3. When the authorization is received, file one copy in the adoption case record, and send one copy to the attorney for the petitioners.
4. A copy of the letter to the attorney transmitting signed authorization of extension (Form Letter Adop M39) shall be sent to the Bureau of Adoptions in Sacramento. A copy may also be sent to the petitioners if the agent considers it necessary.

If the order authorizing the extension is not returned from the court within a reasonable length of time, clearance shall be made with the judge. If the authorization has not been returned and no word has been received from the court by the 175th day, or, if the judge has refused to authorize extension, a full report of all information which has been obtained up to that date shall be filed, with recommendation of denial. This must be in the hands of the court within the 180-day period.

D. Content of Request

The request shall include the following:

1. The names of the petitioners, the date on which petition was filed, and the original due date.
2. A statement of the status of the case, giving reason for the request for extension of time. This should be specific and full enough to give the judge a true picture of the obstacle which prevents the completion within the time allowed by law.
3. When the attorney, or the petitioners, or both, concur in the request, a statement should be included to that effect.
4. A statement of the specific number of days needed within which to file the final report.

E. Length of Time to be Requested

The extension requested shall be for the period of time estimated as adequate to clear the obstacle to the filing of the final report. Ordinarily, the extension should not exceed ninety days. If the

(Section Continued on Next Page)

2118-00 (Continued)

2118-00

C. Natural Parents (same information on both parents if possible)

1. Brief sketch of mother's personal history and background, showing her maiden name; married name, if any; any aliases which are pertinent to establishing the identity of the child or other relationship; birthdate; nationality-descent; religion; education; occupation; and record of social maladjustment, i.e., Juvenile Court, police or penal record.
2. Summary of health, including the report of the doctor delivering the child as it relates to the mother; other medical reports and mental reports, if any; a statement regarding any family history or personal history of inherited physical or nervous disorder, or such history in alleged father's background.
3. Full information, showing verification made of names, dates and places of all marriages, divorces and deaths, so that the legal status of the child is clearly established.

D. Petitioner(s)

1. Brief sketch of family history and background of the man petitioner, covering name, age, religion, nationality-descent; if foreign born, information regarding citizenship or legal entry into U. S. (verified); education; health, including date of last physical examination; any record of social maladjustment; police, penal, or institutional record; social and religious or community activities; employment. If a petitioner's present occupation is not his usual occupation, the report should show where he was employed previously.
2. Similar sketch of the woman petitioner as in paragraph 1, adding a statement regarding her ability to support the minor if necessary.
3. Date and place of marriage (verified).
If either petitioner has been previously married, the number of marriages for each should be shown, and it should be stated that previous marriages and dissolutions have been verified. If some circumstance surrounding a previous marriage clouds the suitability of a home, full information should be given in regard to it.
4. Household of petitioners, giving names, relationship, ages of other members, if pertinent, how supported, and health; names of any other children of petitioners and/or adopted children; if adopted, date of adoption if known. This paragraph should contain a statement as to whether the relationship existing between the adopting parents and the minor is comparable to that of natural parents and child, and the relationship to the other members of the family.

(Section Continued on Next Page)

2118-00 (Continued)

2118-00

3. In submitting supplementary reports the following paragraph may be substituted:

"On the _____ day of _____ the State Department of Social Welfare filed its final report recommending that the petition be granted/denied.

The situation having changed, or additional information having been obtained, or the obstacle to the adoption having been cleared since the report was filed, the State Department of Social Welfare now submits this supplemental report."

B. The Minor

This section should contain:

1. Verified birth information and legal status. If there is a difference between the official record, the petition and/or the report given by the parents, this should be pointed out. Other information from the birth certificate, such as district number, certificate number, etc. need not appear in the report. If the recommendation is that the petition be granted the latter information should be included in the letter (FL AD M37) which is sent to the attorney at the time of the filing of the report.

2. Date and Circumstances of Placement

If it has been definitely established who made the placement or acted as intermediary, the name should appear. If the petitioners paid prenatal or confinement expenses, or made other payments, a statement to that effect should be made.

A statement should be made of the relationship, if any, to the petitioners, and whether the child has been in the home continuously or for broken periods.

3. Health and Development

This paragraph should include (a) the report of the obstetrician and the report of the pediatrician; (See Sec. 2660-00, D) (b) reports of any psychometric or psychiatric examinations, and school reports or grades for the older child; (c) developmental history. If the child appears to be developing normally a simple statement may be made to that effect.

4. Statement should be made regarding property or estate, if any, owned by a minor, showing that it has been verified.

(Section Continued on Next Page)

2118-00 (Continued)

2118-00

(d) Statement that the parents willingly signed the consents attached.

3. Although consent of a guardian or of the Juvenile Court when the minor is a ward of the court, is not necessary, it is advisable to include a statement of their attitude toward the adoption.
4. When action is necessary to eliminate consent of parents in accordance with Sec. 224, specify type of action to be taken, date action filed and month of action.
5. If the consent appears inadequate, a statement should be included, pointing this out and presenting the question of validity for the court's consideration.
6. A statement that the SDSW or county agency gives its consent to an adoption when:
 - (a) The consent has been signed out of the state.
 - (b) There are no parents to consent.

F. Summary

This can be a brief statement, but it should give the basis for the recommendation, with an evaluation of the advantages or disadvantages of the adoption. If there is to be a recommendation of denial or a conditional approval, the reasons must be stated.

G. Recommendation

1. Approval

- (a) If the child is found to be a proper subject for adoption and the home suitable, the recommendation should be made without reservation.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the minor is a proper subject for adoption and that the home of the petitioner is suitable. It therefore accepts the consent of the natural mother, (or parents), consents to the adoption (if SDSW consent necessary), and recommends that the petition of _____ for the adoption of _____ be granted."

(Section Continued on Next Page)

2118-00 (Continued)

2118-00

5. Financial situation:

- (a) Home, location, owned or rented, value of equity, payments.
- (b) Income (verified), including occupation of man petitioner and woman petitioner (if employed), where employed, and length of employment.
- (c) Insurance and savings; if none, reason why.
- (d) Other property or resources.
- (e) Debts and financial obligations, if any. Debts should be listed only if they are of sufficient importance to cloud suitability of the home.

6. Adjustment of minor and petitioners.

7. References' evaluation of the petitioners. Names of references need not be given in the report.

8. Attitude of petitioners in questionable cases:

Where there is no verified information regarding the minor's background for either (or both) parent, or where information obtained shows undesirable background, but petitioners wish to proceed with the adoption, a statement shall be included to that effect. This should include the statement that all the known facts and/or lack of information regarding the minor have been discussed with the petitioners, who have expressed their desire to consummate the adoption and are willing to assume responsibility for the minor regardless of future developments. In cases of this type, reports from state hospitals or institutions may be attached as exhibits.

E. Consents

1. Legal status of parents as substantiated by facts.

2. The parents attitude toward the adoption. This should include:

- (a) Whether the mother has met the petitioners and is satisfied, or has not met them and is satisfied with what she has been told.
- (b) The mothers statement as to whether she was influenced in giving her consent by payments or gifts from petitioners.
- (c) If there is a difference in religion, a statement should be included as to her willingness to have the child in a home of a different faith or reared in a different faith.

(Section Continued on Next Page)

Social Welfare finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the minor is declared free from the custody and control of his natural mother and/or father, or presumptive father, under Sec. 701 of the Welfare and Institutions Code."

- (c) When necessity for consent of the presumptive father or legal father is to be eliminated by court action.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the court determines that the mother is entitled to sole custody of the child."

or

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the presumption of legitimacy is overcome by proper court action."

- (d) When the certificate of the superintendent of a state hospital or State Director of Institutions given in lieu of consent states that "in his opinion" the parent will not be capable of controlling the child in a proper manner.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable and that the minor's welfare will be promoted by the adoption. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the court finds that the certificate of the State Director of Institutions and/or superintendent of the state hospital is acceptable and that the child is legally free for adoption."

(Section Continued on Next Page)

2118-00 (Continued)

2118-00

- (b) If the minor's background is questionable or undesirable, as outlined under Sec. 2680-00, but the petitioners are desirous of consummating the adoption, and it has been determined that his welfare will be served by the adoption, no statement should be made as to the adoptability of the child.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the welfare of the minor will be promoted by the adoption and that the home of the petitioners is suitable. It therefore accepts the consent of the natural mother (or parents), consents to the adoption (if SDSW consent necessary), and recommends that the petition of _____ and _____ for the adoption of _____ be granted."

- (c) If there is question as to the suitability of the petitioners' home but removal of the child is not desirable and the adoption is being approved, the statement as to the suitability of the home should be omitted but the statement should be made that "the minor's welfare will be promoted by the adoption."

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the minor is a proper subject for adoption and that his welfare will be promoted by the adoption. It therefore recommends that the petition of _____ and _____ for the adoption of _____ be granted."

2. Conditional Approval

- (a) When there is to be action under Sec. 224 in lieu of the father's consent.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable, but that the minor is not legally free for adoption. It therefore recommends that the adoption be granted, provided necessity for the father's consent is eliminated under the provisions of Sec. 224 of the Civil Code."

- (b) When action has been initiated, but not completed, to have the child declared free from custody and control of the parent of parents.

Example:

"In view of the foregoing facts, the State Department of
(Section Continued on Next Page)

2118-00 (Continued)

2118-00

adoption. It therefore recommends that the petition of _____ and _____ for the adoption of _____ be denied."

or

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable, but that it has been unable to determine that the child is a proper subject for adoption. It therefore recommends that the petition of _____ and _____ for the adoption of _____ be denied."

- (b) If the investigation has been completed and the adoption appears to be socially desirable but there is some obstacle which cannot be cleared at the time, denial may be made without prejudice.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable but that the minor is not legally free for adoption. It therefore recommends that the petition of _____ and _____ for the adoption of _____ be denied without prejudice to the petitioners."

2120-00 COURT REPORT - AGENCY ADOPTIONS

2120-00

The agency shall file a report to the court on every petition in which it joins. Since the fact that it has made the placement and joined in the petition signifies its approval of the home, the report may be a brief one, containing a statement of the identity of the child, the date of the relinquishment or relinquishments to the agency, brief statements about each petitioner, and a statement that the agency approves and consents to the adoption.

A copy of the court report shall be sent to the SDSW, which, on receipt of the Notification of Pendency, will issue its approval waiver of further investigation.

2118-00 (Continued)

2118-00

(e) If any other legal point is left for the court's determination.

Example:

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable and that the minor is a proper subject for adoption if no further consent is necessary. It therefore gives its consent and recommends that the petition of _____ and _____ for the adoption of _____ be granted, provided the court finds that the minor has not been legitimated under the provisions of Sec. 230 and that the natural father's consent is not necessary."

3. Denial

The basis for the denial should be carefully outlined in the Summary paragraph.

(a) If there is any question as to the suitability of the home, if the child is not a proper subject for adoption, or if the investigation is incomplete in any respect.

Example:

"In view of the foregoing facts, the State Department of Social Welfare recommends that the petition of _____ and _____ for the adoption of _____ be denied."

or, if the consent of the SDSW is necessary:

"In view of the foregoing facts, the State Department of Social Welfare refuses to give its consent to the adoption of _____ by _____ and _____ and recommends that the petition be denied."

or

"In view of the foregoing facts, The State Department of Social Welfare finds that the home of the petitioners is not suitable and recommends that the petition of _____ and _____ for the adoption of _____ be denied."

or

"In view of the foregoing facts, the State Department of Social Welfare finds that the home of the petitioners is suitable but that the child is not a proper subject for

(Section Continued on Next Page)

2122-00 (Continued)

2122-00

E. Adopting Parents

1. A brief statement of the agency's investigation giving the following information on each adopting parent: age, race, nationality or nationality-descent, religion, education, occupation; verified information on health, marriage, and citizenship; and the agency's evaluation of the adopting parents.
2. A brief statement of the attitudes of other children and any other members of the household.
3. A brief statement in regard to the home environment.
4. A statement of the evaluation given by references.

F. Recommendation

Suggested paragraph:

In view of the foregoing facts the _____ consents
Name of Agency
to the adoption of _____ by _____ and _____
and recommends that the petition for adoption be granted.

2125-00 COURT REPORT - STEPPARENT ADOPTIONS

2125-00

The probation officer of the county in which the petition is filed is responsible for making the investigation and report and recommendation to the court. No order of adoption can be made by the court until after the probation officer has filed his report and it has been considered by the court. (Sec. 227a, Civil Code)

2130-00 COPY OF REPORT TO ATTORNEY FOR THE PETITIONERS

2130-00

Whenever any report or findings are submitted to the court, a copy of such report or findings must be submitted to the attorney for the petitioners when they have an attorney, and otherwise to the petitioners. (Sec. 226, Civil Code)

2135-00 COURT HEARING - PRIVATE

2135-00

All Superior Court hearings in adoption proceedings shall be held in private, and the court shall exclude all persons except the officers of the court, the parties, their witnesses, counsel, and representatives of the agencies present to perform their official duties under the laws governing adoptions.

2122-00 OUTLINE FOR COURT REPORT BY ADOPTION AGENCY
PLACING CHILD AND JOINING IN PETITION

2122-00

No information shall be included in the court report unless it is substantiated elsewhere in the case record through correspondence, narrative or otherwise.

A. Opening ParagraphSuggested:

1. The _____, an organization licensed by the State Department of Social Welfare in conformity with Section 224m of the Civil Code, having joined with _____ and _____ in the petition for the adoption of _____ presents its report.
- or
2. The _____ being licensed by the State Department of Social Welfare and authorized under Section 224m of the Civil Code, presents its report in the matter of the adoption of _____ by _____ and _____.

B. The Minor

1. A brief paragraph giving name as shown on petition, date of birth and place.
2. A brief paragraph showing date of placement by the agency, the length of time the placement was supervised, and a statement of the adjustment of the minor to the petitioners.
3. A brief statement regarding the child as a proper subject for adoption, with a paragraph giving developmental history, medical or psychometric reports and legal status.

C. Parents (same information on both natural parents if possible)

1. Brief history giving age, race, nationality, religion, education and occupation.
2. Health, including medical and/or psychometric reports.
3. If the agency's investigation shows anything in the background of the parent to contraindicate acceptance of the minor, or if information on any of the points indicated above is unknown, a statement of the facts should be included.
4. Verified information as to marital status.

D. Relinquishment

A statement showing when signed, by whom, and the date filed with the SDSW.

(Section Continued on Next Page)

MAIN OFFICE
SACRAMENTO
616 K STREET
(14)

Earl Warren
Governor

SOCIAL WELFARE BOARD

BEN KOENIG, CHAIRMAN
1680 NORTH VINE STREET
LOS ANGELES
MRS. RUBY BACIGALUPI
1870 JACKSON STREET
SAN FRANCISCO
JOHN C. CUNEO
922 J STREET
MODESTO
GERALD C. KEPPLER
135 NORTH BRIGHT AVENUE
WHITTIER
REV. THOMAS H. MARKHAM
409 NATIVE SONS' BUILDING
SACRAMENTO
JOHN T. MARTIN
1170 SEVENTH AVENUE
SAN DIEGO
MRS. JESSIE S. WILLIAMSON
2816 OAK KNOLL TERRACE
BERKELEY

STATE OF CALIFORNIA

Department of Social Welfare

CHARLES M. WOLLENBERG
DIRECTOR

Sacramento 14
December 29, 1947

LOS ANGELES OFFICE
WASHINGTON BUILDING
311 SOUTH SPRING STREET
(13)

SAN FRANCISCO OFFICE
DAVID HEWES BUILDING
995 MARKET STREET
(3)

Hon. Frank M. Jordan
Secretary of State
Room 109, State Capitol
Sacramento, California

IN REPLY PLEASE REFER
TO:

My dear Mr. Jordan:

Attached are three copies of Department Bulletin No. 314 issued by the State Department of Social Welfare. These regulations were adopted by the State Social Welfare Board pursuant to the powers conferred upon it under Sections 103, 103.5, 103.6 and 114b of the Welfare Institutions Code and are filed in accordance with provisions of Section 11381 of the Government Code.

Very sincerely yours,

Charles M. Wollenberg
CHARLES M. WOLLENBERG, Director
Department of Social Welfare

206:b5
Attachment

RECEIVED
SACRAMENTO, CALIF.

1947 DEC 30 PM 1 13

FRANK M. JORDAN
SECRETARY OF STATE
STATE OF CALIFORNIA

Certified as a Regulation as
Regulations) of the

Dept. of Social Welfare
(Name of State Agency)

Amelia
(Signature)

Director
(Title)

12/29/47
(Date)

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
616 K STREET
SACRAMENTO 14
December 23, 1947

FILED

in the office of the Secretary of State
of the State of California

DEC 30 1947

At 2 o'clock P. M.

FRANK M. JORDAN, Secretary of State

By *Robert V. Jordan*
Assistant Secretary of State

DEPARTMENT BULLETIN NO. 314 (3 Aids)

TO: COUNTY BOARDS OF SUPERVISORS
COUNTY WELFARE DEPARTMENTS
COUNTY AUDITORS

Subject: Notification to Recipients
Temporarily Out of State
(Manual Section 123-05)

Section 123-05 of the Manual provides that a recipient of OAS, ANB, APSB, or a child receiving ANC may leave the State for a temporary period not to exceed one year and continue to receive assistance. It further provides that recipients out of the State when Section 123-05 becomes effective shall have one year in which to return to the State in order to remain eligible. This section becomes effective February 1, 1948.

It shall be the responsibility of each county welfare department to notify at once recipients, visiting out of the State, as to the new requirements. The county welfare departments may use a letter or a form, whichever they prefer, for such notification. In either case, the language used should be clearly and simply set forth.

Very sincerely yours,

Charles M. Wollenberg

CHARLES M. WOLLENBERG, Director
Department of Social Welfare